

JK  
5725  
1923  
.T8

ILLINOIS  
AND THE  
NATION

---

TROWBRIDGE - RANDLE





Class JK5225

Book 1923

Copyright N<sup>o</sup> T8

**COPYRIGHT DEPOSIT.**









THE STATE CAPITOL, SPRINGFIELD

# Illinois and the Nation

---

*A Practical Treatise on State and National Civics*

---

BY

OLIVER R. TROWBRIDGE

*Member of the Bloomington Bar*

AND

GILBERT P. RANDLE

*Superintendent of Schools*

*Danville, Illinois*

1923

---

**A. FLANAGAN COMPANY—CHICAGO**

---

JK 5725  
1923  
.T8

COPYRIGHT, 1917, 1920, 1923, BY A. FLANAGAN COMPANY

PRINTED IN THE UNITED STATES OF AMERICA

JAN 11 '24

© CIA 766688

.210 1



## FOREWORD

The author has so organized his subject matter that the teacher has ready at hand an abundance of material for the acquiring of knowledge as to the machinery of government—local, state, and national. So far as possible the author has gone into the theory of government.

The teacher is a necessary supplement to any text-book. Try to bring this study home to the pupil by giving him questions to look up outside the class—such as “Who is the mayor? By whom elected? For how long? If he is not a good official how does that affect you?” Go through the form of holding a Presidential election, a meeting of the city council, and a nominating convention.

Above all, remember the pupil likes a subject which is definitely presented to him. Some teachers are afraid to assign work which requires a definite statement of fact for the answer. Do not make this mistake. When a pupil has made a topical recitation follow this by simple direct questions to test not only what he knows, but how he knows it and what use he can make of this knowledge. Remember that every subject has its own vocabulary and that a pupil never becomes proficient in a subject until the peculiar vocabulary of the subject is at his command. Have pupils keep lists of the new words or words used in new meanings, and frequently review these words by using them in short, pointed sentences until their use becomes easy. For illustration: *executive, ex post facto, enactment, habeas corpus, enacting clause, jurisdiction, electoral, etc.*

## ILLINOIS AND THE NATION

After a chapter has been studied, test for the main facts by using a series of questions which may be answered by a single word or phrase—as:

1. What official is the chief executive of the state?
2. Who presides over the House of Representatives?
3. How many senatorial districts are there in Illinois?
4. In what congressional district do you live?

Frequently review in this way, being careful to change the form and order of your questions.

# CONTENTS

CHAPTER	PAGE
I. GOVERNMENT IN THE COMMUNITY AND IN THE NATION	7
II. STATE GOVERNMENT.....	13
III. THE DIVISIONS OF THE STATE.....	49
IV. COUNTY GOVERNMENT.....	54
V. TOWN GOVERNMENT.....	66
VI. CITY AND VILLAGE GOVERNMENT.....	79
VII. COMMISSION FORM OF MUNICIPAL GOVERNMENT.....	84
VIII. PUBLIC SCHOOL SYSTEM.....	90
IX. THE CIVIL ADMINISTRATIVE CODE OF ILLINOIS.....	108
X. MISCELLANEOUS. ....	119
XI. NATIONAL GOVERNMENT.....	133

## APPENDIX

CONSTITUTION OF THE UNITED STATES.....	200
CONSTITUTION OF ILLINOIS.....	219
THE CIVIL ADMINISTRATIVE CODE OF ILLINOIS. ....	264
INDEX .....	307

## ILLUSTRATIONS

	PAGE
THE STATE CAPITOL, SPRINGFIELD.....	Frontispiece
THE SENATE CHAMBER, SPRINGFIELD.....	12
ILLINOIS SUPREME COURT BUILDING, SPRINGFIELD.....	Facing 42
THE ASSEMBLY CHAMBER, SPRINGFIELD.....	Facing 43
ILLINOIS STATE NORMAL UNIVERSITY, NORMAL.....	Facing 92
EASTERN ILLINOIS STATE NORMAL SCHOOL, CHARLESTON	Facing 93
THE UNITED STATES CAPITOL, WASHINGTON, D. C.....	134
THE WHITE HOUSE, WASHINGTON, D. C.....	Facing 164
THE UNITED STATES TREASURY, WASHINGTON, D. C. ....	Facing 165

## MAPS

ILLINOIS—County Boundaries and Population, 1910.....	129
ILLINOIS—Congressional Districts.....	130
ILLINOIS—Senatorial Districts.....	131
ILLINOIS—Judicial Circuits.....	132

# ILLINOIS AND THE NATION

---

## CHAPTER I

### GOVERNMENT IN THE COMMUNITY AND IN THE NATION

What is "the government"? What is the necessity for government? To what extent are you a part of the government? What has the government to do with your personal safety? With your health? With the protection of your brother, sister, or other relatives? With your education? With your care when you are sick or injured? With your safety in travel? With the security of your property? How is government exercised in the home? In the school? In the community? In the city? The county? The state? The Nation? What things can best be done for you by the National government? By the state government? By the government of the county or of the community? Which affects you more particularly, the National government or the state government?

How is the government to pay for the work which it has performed? For keeping the highways in order? For supporting the schools? For caring for the health of the people? For protecting the people from attack by other nations on land or sea?

What are taxes? How are they levied, collected, and expended? Why are taxes necessary? What is the objection to taxes which are unnecessarily heavy or which are not equitably distributed?

In every community should not at least these things be done for the inhabitants of the community? Roads and walks, built and kept in repair; protection provided against danger by fire; officers to arrest and imprison thieves and other wrongdoers; schoolhouses built and kept in repair and teachers employed. If these things are to be done, are not officers necessary to see that they are done? How are these expenses to be met?

Suggest other things which must be done for the community as a whole and which should be paid for by the community as a whole.

**Necessity for Government.** When you have deliberated upon the above questions you will have realized that government is necessary and that those who do the work of the government must be paid for their services, or at least must have the means of paying others for services rendered or for materials and property used for the purpose of the government.

Do you fully realize the significance of Lincoln's reference to a "Government of the people, by the people, for the people"?

**How About Your Community?** In your community have you good roads? If so what is the title of the officer or officers whose duty it is to look after the building of these roads? How are these roads paid for? If you do not have good roads, who is to blame? Is your money wasted on the roads in your community? If the roads are poor who is most to blame, the road officials or the people?

In your community is every effort put forth to have a good, commodious sanitary school building with proper grounds, water supply, etc., and with proper heating and

lighting? What is the title of the officers whose duty it is to provide these things? If these things are not provided to what extent are the people of your community to blame?

In your community is there a public library? If so how is it supported? What are its officers? If you have no library how might one be secured for your community?

In your community is great care exercised to see that all water used, for drinking and cooking is entirely safe? Do your people understand that each family feels that it has the best well in the community and yet that very well may contain water most dangerous to life?

Have you parks and playgrounds in your community? If not, can you do anything to awaken an interest in the buying and developing of parks?

From what has been said do you realize that you are a part of the government, that the government does its work for your welfare, and for the welfare of your family and friends, that to do this work taxes must be paid, that it is important that your parents take an active interest in seeing that the best people are nominated and elected to office, that they are reëlected as long as they give good service and are defeated if they do not?

Do you realize that the government of your own community, city, and county and particularly of your state is of paramount importance, and that while you should be interested in who is chosen president of the United States you should be equally interested in even the smallest community election.

THE FAMILY, THE COMMUNITY, THE STATE, AND THE  
NATION

Many of the affairs of life are controlled by the family government of which the father and mother are the head. Several families living near each other make up a community where questions arise which concern more than a single family. If the community be small it may be organized into a village and certain officers chosen to see that the interests of the community are cared for and safeguarded. If the community increases in size, a city with its mayor, council, fire department, police department, etc., takes up the more complex matters of community control. To control the relations between communities, villages, and cities, which are near together, counties are organized which construct and maintain highways and establish courts of justice for settling difficulties between the citizens of different communities. These counties also elect officers to enforce the law and to arrest those who offend against the law. Above the county, is the state. Too little thought is ordinarily given to the state and its laws. To a very great degree, it is the state which regulates the great affairs of our lives. It controls commerce within the state. It provides the general laws for the incorporation and control of villages and cities. It largely governs us in all of the great relations of life including those of husband and wife, parent and child, guardian and ward, and principal and agent. Above the state, is the Nation which has to do with our relations with other nations in peace and in war.

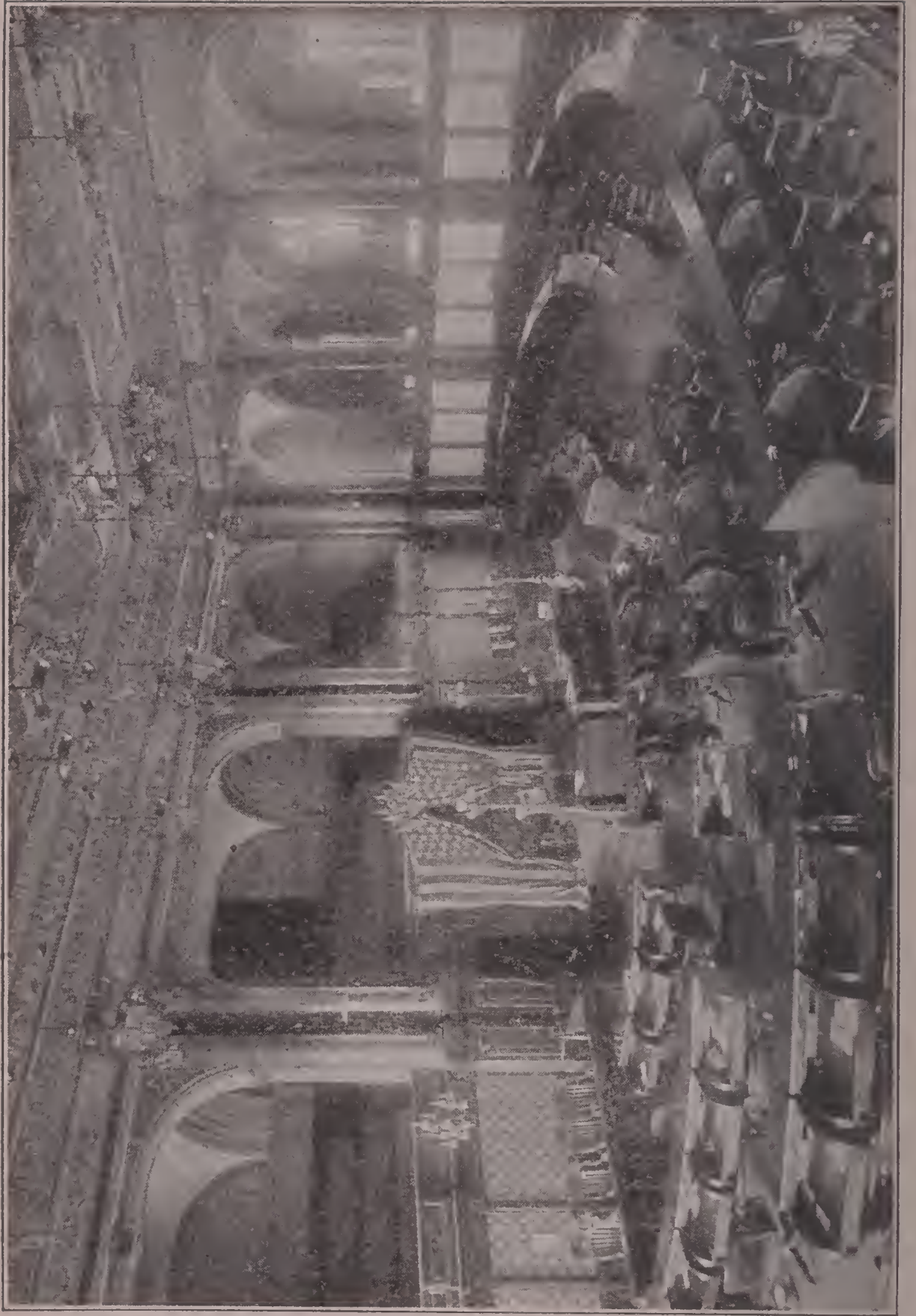
The Nation provides for post offices and post roads, issues money and regulates its value; provides national



courts, regulates commerce between the several states and with foreign nations. It provides and supports the army and navy.

In many respects the town and city are independent of the state, and the state is independent of the Nation. The founders of our government have sought to take no power from the local community unless it can be better exercised by one of the larger units of government.

“The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people.”  
(Tenth Amendment to the United States Constitution.)



THE SENATE CHAMBER, SPRINGFIELD

## CHAPTER II

### STATE GOVERNMENT

**Three Departments.** As in the nation, so in the state, there are three departments of government: The legislative, executive, and judicial. The first makes the laws, the second executes the laws, the third interprets the laws and decides disputes arising under them.

The three departments, however, are not entirely distinct. The governor, an executive officer, has the power to veto all laws passed by the legislature. The legislature has judicial power in cases of impeachment and executive power in confirming appointments made by the governor. The judiciary have a form of executive power in compelling men to obey the laws and officers to perform their duties, as in cases of mandamus.

#### LEGISLATIVE DEPARTMENT

**The State Legislature.** The law making body of Illinois is the General Assembly, which consists of two Houses: The Senate, or "Upper House," and the House of Representatives, or "Lower House." The General Assembly is commonly known as the "legislature."

**How Designated.** The different General Assemblies are designated by number, as the First General Assembly, the Thirty-eighth General Assembly, etc. Each

General Assembly lasts two years, and in that time holds but one regular session. What is the number of the present General Assembly? Has it held its regular session?

**Time and Place of Meeting.** The General Assembly holds its regular session at Springfield every two years, the sessions commencing at twelve o'clock noon on the Wednesday next after the first Monday of January of the odd numbered years.

**Senatorial Districts.** Every ten years, at the first session after the taking of the census, the General Assembly divides the state into fifty-one senatorial districts. These districts must contain as nearly as practicable the same number of inhabitants, must be formed of contiguous and compact territory, and be bounded by county lines. But a county containing not less than one and three-fourths of the senatorial ratio may be divided into separate districts according to the number of times it contains the ratio. No district can contain less than four-fifths of the senatorial ratio. The senatorial ratio is found by dividing the number expressing the population of the state by fifty-one.

The districts are numbered from one to fifty-one. In what district do you live?

**Number of Senators and Representatives.** One Senator and three Representatives are elected from each senatorial district. How many members are there in each house?

**Election of Members.** Members of the General Assembly are elected on the Tuesday next after the first Monday of November of the even numbered years. At every election all of the members of the next Lower House are elected, and half the members of the next Senate, the Senators from the even numbered districts

being chosen at one election, and those from the odd numbered at the next. Because half of its members "hold over" at each session, the Senate is sometimes called the "permanent" house of the General Assembly. Were the Senators chosen at the last election from the odd or even numbered districts?

**Vacancies.** When a vacancy occurs in either house, if the legislature is in session, or if there will be a session before the next regular election of members to the General Assembly, the Governor orders a special election in the district affected to fill the vacancy. If the vacancy does not occur under these conditions it is not filled until the next regular election.

**Minority Representation.** There are three members of the Lower House elected at the same time in every senatorial district. Every voter has the right to vote for the three men, giving each one vote; for two men, giving to each one and a half votes; or for one man, giving him three votes. A voter may also give two votes to one man and one to another, or distribute his votes in two or three other ways, but he is not likely to do so. By this plan the party in the minority can usually elect one man by having but one candidate and giving him all the votes. How large must the minority be to elect one man?

Usually the party in the majority nominates two candidates, and the one in the minority nominates one candidate. In this case a nomination is equivalent to an election unless a second minority party develops unexpected strength in voting for a single candidate. When two parties are nearly equally strong each one may nominate two candidates. In this case, the friends of one candidate will give three votes for their favorite, instead of one and a half for each candidate on the ticket. This

is called "plumping," and may sacrifice party to personal interests.

In 1870, by a special vote, the section of the Constitution relating to minority representation was adopted. What are its advantages? Its disadvantages? Do you know of any other state that has minority representation?

**Term of Members.** The members of the Lower House are elected for two years, and those of the Upper House for four years.

**Eligibility of Members.** Senators must be twenty-five, and Representatives twenty-one years of age. Both must be citizens of the United States, residents of the state five years, and of their respective districts the two years preceding their election.

Neither Senators nor Representatives can hold any office under the state, the United States, or any foreign government, excepting appointments in the militia, and the offices of notary public and justice of the peace.

No person can be a Senator or Representative after he has been convicted of bribery, perjury, or other infamous crime, or after he has failed to account for and pay over all public moneys collected or held by him at any time. The laws of Illinois name the crimes which are "infamous" in this state.

What is bribery? What is perjury?

**Oath of Members.** In addition to the usual oath of office, every Senator or Representative is required to swear (or affirm) that he has not paid anything, or made any promise in the nature of a bribe, to influence any vote at the time of his election; and that he has not received, and will not accept, anything from any corporation or person for any vote or influence he may give or withhold on any bill, resolution, or appropriation, or for any official act.

The oath is subscribed by each member, and is filed in the office of the Secretary of State. If any member should refuse to take the oath as prescribed by the Constitution, he would forfeit his office.

What is it to subscribe an oath?

**Privileges of Members.** Senators and Representatives are privileged from arrest in all cases except treason, felony, or breach of the peace, during the session of the General Assembly, and in going to and returning from it.

Treason is defined in the third article of the Constitution of the United States. (See appendix.)

In Illinois a felony is an offense punishable with death or with imprisonment in a penitentiary.

What is a breach of the peace?

No member of either house can be called to account at any other place for any speech or debate made in the house to which he is elected. This gives freedom of speech. A similar provision is found in the national Constitution.

**Disabilities of Members.** No Senator or Representative can be appointed by the Governor, with or without the consent of the Senate, to any civil office within the state during the term for which he is elected.

Members of the General Assembly cannot be interested in any contract with the state, or with any county, which is authorized by any law passed while they are members, or for one year after their terms have expired.

What reasons can you give for these disabilities?

**Salary of Members.** Members of the General Assembly receive \$3,500 for their services for the two years' term, also mileage for one round trip necessarily traveled in going to, and returning from, Springfield. The mileage is computed by the

auditor of public accounts. Fifty dollars per session is allowed each member for stationery, postage, newspapers, and other incidental expenses. Both the pay and the mileage allowed each member are certified to by the presiding officer of his house, and, having been entered upon the journal, are published at the close of the session.

The pay of members can be changed, but not for those elected for the term in which the change is made.

**Quorum.** A majority of the members *elected* to each house constitutes a quorum.

What is a quorum?

**Rules.** Each house determines the rules of its own proceedings.

When the legislature meets, one of the first things that demands the attention of each house is the rules that are to govern its proceedings. Usually upon motion of some member, the rules of the last Senate or House, as the case may be, are adopted temporarily, and a committee on permanent rules is appointed. This committee soon reports, giving the proposed rules in detail. The rules as reported by the committee are discussed, perhaps amended, and adopted. Some book on parliamentary practice, as *Cushing's Manual* or *Roberts' Rules of Order*, is then adopted as authority in all questions not touched upon by the rules adopted.

**Membership.** Each house is the judge of the elections, qualifications, and returns of its own members.

It sometimes happens that two men claim election as Senator, or four as Representatives, from the same district. In such cases those having the proper certificates of election signed by the Governor are usually seated until the proper house can investigate the matter and decide between the contestants. The houses are not



always impartial judges in cases of contested elections of their respective members, sometimes permitting politics to influence their vote. But it is thought that no other body should decide these cases.

Certificates of election are called "credentials."

After every election for members of the General Assembly, all county clerks make abstracts of the election in their respective counties, showing the number of votes received by each candidate. The abstracts are called the "returns" of the election, and may be questioned as to their genuineness or accuracy.

The Secretary of State, Auditor, Treasurer, Attorney-General, or any two of them, in the presence of the Governor, examine and count all the returns, and publish the result of the election.

**Officers, How Chosen.** Each house chooses its own officers.

**Officers of the House.** The usual officers of the House are speaker, clerk and three assistants, door-keeper and three assistants, postmaster and one assistant, enrolling and engrossing clerk and two assistants. The speaker is a member of the House.

**Officers of the Senate.** The usual officers of the Senate are president, president *pro tempore*, secretary and two assistants, sergeant at arms, postmaster and one assistant.

**Speaker.** It is the duty of the speaker to preside over the House, to sign all bills passed by the House, to appoint the standing committees and most of the special committees.

**Committees.** There are about forty-five standing committees of the House, each consisting of from three to twenty-five, or more, members. Usually a majority of each committee are members of the same political party

as the speaker. The chairman of the committee is named in the appointment.

All measures concerning the state's finances are referred to the Committee on Finance. It examines them separately, and reports on them to the House. In the same way, measures concerning matters of education are referred to the Committee on Education. Every bill is considered by its appropriate committee. Only slight changes to the reports of committees are usually made by the legislature, so the committees practically control the legislature. For this reason chairmanships of important committees are much sought after by the friends of the speaker.

**President of the Senate.** The duties of the president of the Senate are about the same as those of the speaker. He is elected by the people under the title of Lieutenant-Governor, and is *not a member of the Senate*. He has no vote, except when the Senate is evenly divided. The speaker *is always a member of the House*, and, as such, has a vote on *all* questions. Many people think that if a member of a body is chosen chairman he has no vote except in case of a tie. This is a mistake. If the chairman be a member of the body over which he presides, his right to vote on any question is just the same as though he were not chairman.

**President Pro Tempore.** The president *pro tempore* is a member of the Senate who is chosen to preside in the absence of the president; he does not lose his right to vote.

**Clerk and Secretary.** The clerk of the House and the secretary of the Senate perform similar duties for their respective houses. They read the proceedings of the previous day, call the roll, read bills, resolutions, and keep a record of the proceedings from day to day. The clerk

is required to furnish the state printer with an exact copy of each day's proceedings, so that a copy of the proceedings of the preceding day may be placed upon the desk of each member every morning.

**Doorkeeper and Sergeant at Arms.** The doorkeeper of the House and the sergeant at arms of the Senate serve the processes, execute the orders of their respective houses, maintain order among the spectators, and prevent the interruption of business. They may arrest, with or without a warrant, any person guilty of any breach of the peace or crime in or about the State House and its grounds.

The doorkeeper of the House announces the secretary of the Senate and the private secretary of the Governor when they wish to deliver communications and messages; he also announces the Senate when that body is to convene with the House in joint session.

**Enrolling and Engrossing Clerk.** This officer properly engrosses all bills and resolutions when ordered to do so by the House. When a bill originates in the House and is passed by both the House and the Senate, he enrolls it before it is laid before the Governor for his approval.

**Postmasters.** The postmasters receive the mail for the members of their respective houses from the government postoffice and distribute it into the boxes of the members at the postoffice of the General Assembly.

**Other Officers.** Sometimes the House has a reading clerk, and the Senate a bill clerk, whose duties may be inferred from their titles. The president and speaker have each a private secretary.

**Employees.** Besides the officers, there are several *employees*. There are about twenty clerks of committees; also a number of policemen and pages. The pages

are boys who wait upon the members, and carry messages for the speaker and president. Sometimes girls serve as pages. Each house may employ a chaplain.

**Organization of the House.** The Secretary of State calls the House of Representatives to order at the opening of each new General Assembly, and presides until a temporary speaker has been chosen and has taken his seat. Since none of the Representatives hold over from the last session, no one of the members present is authorized to call the House to order.

Immediately after the House is called to order by the Secretary of State, prayer is offered, and the roll of the House is called. The House then proceeds to elect a temporary speaker and other temporary officers. After the members have taken the oath of office, they decide what officers and employees the House shall have, and proceed to elect the former. The employees are nearly all appointed by the speaker after his election.

**Expulsion of Members.** No member can be expelled from either house except by a vote of two-thirds of all the members elected to that house, and no member can be twice expelled for the same offense. Members are expelled only for the most serious offenses.

How many votes are necessary to expel a Senator?  
A Representative?

If a member should be expelled, and his constituents should return him, he could not be expelled a second time for the same offense.

**Contempt.** Each house may punish by imprisonment any person, not a member, for disrespect to the house, or for disorderly or contemptuous behavior in its presence. But no person can be imprisoned more than twenty-four hours at one time, except for persisting in his objectionable conduct.

**Open Doors.** The doors of each house, and of committees of the whole, must be kept open except in cases when, in the opinion of that house, secrecy is required. Can you think of a case that would require secrecy in either house?

**Committee of the Whole.** Sometimes, instead of referring the matter to a committee, the whole house forms itself into a "committee of the whole," and takes up the matter as a committee. When through with the subject, it reports to the house.

When a legislative body goes into a committee of the whole, the regular chairman takes his place among the members, and some one else is appointed chairman of the committee. When the committee rises to report, the regular chairman takes his place again, and receives the report of the committee through its chairman.

**Adjournment.** The Constitution says that neither house can, without the consent of the other, adjourn for more than two days or to any other place than that in which the two houses are sitting.

It sometimes happens that one house is largely of one party and the other house of another. In such cases either house could delay and defeat the measures of the other by adjournments, were these not restricted.

For adjournment longer than two days and for *sine die* adjournments the two houses of Congress agree by resolution upon the date for adjournment. The Constitution provides that in case the two houses are unable to agree, the Governor may adjourn the legislature.

**Journals.** Each house keeps a journal of its proceedings, which is published for distribution.

**Yeas and Nays.** In the Senate, at the request of two members, and in the House, at the request of five members, the yeas and nays are taken on any question and are

entered upon the journal. The clerk calls the roll of the house, every member votes yea or nay on the question, and his vote is recorded and published in the journal. What are the advantages of this?

**Protest of Members.** If any two members of either house wish to protest again or dissent from any action or vote they think injurious to the public or to any person, they are at liberty to do so in respectful language, and have their reasons entered upon the journal.

**Style of Bills.** All laws of this state begin as follows: *Be it enacted by the people of the State of Illinois, represented in the General Assembly.* This is called the "enacting clause." Without this a law would be void.

**Where Bills May Originate.** Bills may originate in either house, but may be changed or rejected by the other.

**Final Passage of Bills.** On the final passage of all bills the votes are taken by yeas and nays and entered upon the journal.

**Bills Voted upon Separately.** The final vote is taken upon each bill separately.

**Vote Necessary.** No bill becomes a law until it receives the vote of a majority of all the members elected to each house. How many votes must a bill receive in the Senate? In the House?

**Three Readings Necessary.** Every bill must be read at large on three different days in each house.

**Bills Must Be Printed.** Every bill and all its amendments must be printed before the last vote is taken upon it. The printed bills are distributed among the members, a copy of each bill being placed in the postoffice box of every member. No member can explain away or excuse his vote by saying he did not know exactly what the bill was about.

**Signatures Necessary.** After it has passed both houses a bill must be signed by the president of the Senate and by the speaker before it is presented to the Governor.

**Only One Subject.** No act can embrace more than one subject, and that must be expressed in its title. If any bill embraces a subject which is not expressed in its title, the part relating to this subject is void, but the remainder of the bill remains in force.

When there was no limitation to the number of subjects that might be included in any bill, it was a common practice to put several subjects into one bill and then force members to vote for the objectionable parts in order to secure the passage of the rest of the bill.

Every bill has a title, thus: "*An act to establish and maintain a system of free schools.*" "*An act to revive the law in relation to township organization.*"

**Laws Revived or Amended.** No law can be revived or amended by reference to its title only; the act revived or amended must be given in full in the new act. It is easy to see that all these conditions tend to prevent careless and evil legislation.

What is it to repeal a law? To revive a law? To amend a law?

**When Laws Take Effect.** An act of the General Assembly takes effect upon the first day of July next after its passage, unless in case of emergency. In such a case the act must receive a two-thirds vote of all the members elected to each house, and must have the *emergency* stated in some part of the act. The "emergency clause," as it is called, is usually at the end of the act, and reads as follows: "Whereas an emergency exists (sometimes the emergency is stated), this act shall take effect and be in force from and after its passage."

As a rule, laws should not take effect for some time after their passage, in order that the people may learn of them, and adjust themselves and their affairs to the new conditions.

**The Governor's Veto.** When a bill is passed by both houses, it is sent to the Governor for his signature. If he wishes the bill to become a law, he signs it, and so makes it a law. But if he does not wish it to become a law, he does not sign it, but sends it back to the house in which it originated. With it he sends his objections, which are written in the journal of this house, and the bill is again taken up. This time, in order to pass, it must receive the vote of two-thirds of the members elected. If it receives this vote in the house to which it is returned, it is sent, together with the objections of the Governor, to the other house. A vote of two-thirds of the members elected to this house makes it a law without the signature of the Governor. In all such cases the vote of each house must be by yeas and nays, and be entered upon the journal.

If the Governor does not return a bill within ten days (Sundays not counted) after it is sent to him, it becomes a law just as if he had signed it, unless the legislature adjourns before the ten days are up, and so prevents its return. In this case, if the Governor does not want the bill to become a law, he can prevent it by sending his objections to the office of the Secretary of State within ten days after the legislature adjourns.

When the Governor neither signs a bill nor returns it with his objections within ten days, it is called a "pocket veto."

Try to give a reason for each provision regarding the Governor's veto. This will help you to understand the matter.



In the case of the veto power, the Governor, who is an executive officer, has something to do with the law-making power. His veto power is intended to act as a check upon the legislature.

The word *veto* means "I forbid." The message containing the Governor's objections to a bill is called a "veto message."

**Special Laws Prohibited.** The General Assembly cannot pass a special law, or a law relating to some particular case when a general law will apply.

Under the first two Constitutions of Illinois, special laws were allowed except in two or three cases, and at some sessions they formed the bulk of the laws enacted. The session laws of 1857 contain 302 pages of public laws, and 1,450 pages of private laws. It must be kept in mind that laws upon these subjects are not prohibited, but that the laws must be general.

Why should special legislation be prohibited in each of the following cases?

**Changing County Seats.** The General Assembly cannot locate or change county seats by special laws.

Since the county seat is the place where the business of the county is transacted, the people of the respective counties locate and change their county seats. The question is voted upon after due notice has been given. A special election is held when the question of a change of county seat is voted upon. Why hold an election for this purpose only?

**Special Charters Prohibited.** The legislature cannot now give special charters to cities and villages; neither can it amend nor change any charter already given.

Since 1870 all cities and villages have been incorporated under a general law, but before that time most cities were incorporated by special laws known as the

“charters” of the respective cities. If the people of a city are dissatisfied with their charter they cannot have it amended, but may vote to give it up and then organize under the general law.

**Rate of Interest.** No special law can be passed regulating the rate of interest on money. No person or corporation can charge a higher rate of interest than that authorized by the general law. What is now the highest authorized rate?

**Fees of Officers.** The General Assembly cannot create or change the fees of any public officer during the term for which he is elected.

**Special Privileges and Immunities.** No special or exclusive privilege or immunity can be granted to any person or corporation.

A *privilege* implies the liberty to do something; an *immunity* implies exemption from some duty, tax, or obligation.

**Release of Indebtedness.** The General Assembly has no power to release any person or corporation from indebtedness to the state or to any municipal corporation within the state.

Special laws are prohibited in several other cases, as may be found by referring to the Constitution. The above cases have been chosen because they relate more especially to the other subjects of our study.

**Public Moneys and Appropriations.** The General Assembly can make no appropriation of money out of the treasury in a private law.

Bills making appropriations for the pay of members and officers of the General Assembly, and for the salaries of the officers of the state government, must not contain provisions on any other subject. Were it not for this provision, members, in order to vote for the pay of

themselves and others, might be obliged to vote for some objectionable provision. Such a provision in an appropriation bill is called a "rider."

No money can be drawn from the treasury unless it has been appropriated for the purpose for which it is drawn.

The Treasurer is forbidden to pay out any money except on an order issued by the State Auditor. This order is called the "auditor's warrant."

When money has been appropriated for any given purpose, or belongs to any particular fund, it cannot be drawn or used for any other purpose.

Within sixty days after the adjournment of each session of the General Assembly, the Auditor must publish an itemized statement of all money expended at that session.

Each General Assembly provides for the appropriation necessary for all the expenses of state government for the next two years, or until the end of the first fiscal quarter after the adjournment of the next regular session. The aggregate amount appropriated cannot be increased except by a vote of two-thirds of the members elected to each house, and in no case can it exceed the amount of revenue authorized by law to be raised within the two years.

All appropriations, general or special, end with the first fiscal quarter after the adjournment of the next regular session. The fiscal year ends September 30.

**State Indebtedness Limited.** The state, in order to meet accidental deficits or failures in revenue, may contract debts which can never exceed in the aggregate \$250,000. All moneys thus borrowed must be applied to the purpose for which they were obtained, and to no other purpose.

No other debts, except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, can be contracted unless by a vote of the people.

Illinois is now virtually out of debt.

**Extra Pay Prohibited.** The General Assembly cannot grant extra pay or allowance to any officer, agent, servant or contractor, after service has been rendered, or contract made. However, appropriations may be made for expenses incurred in repelling invasion, or suppressing insurrection.

**Loan of Credit Prohibited.** The state can never pay or become responsible for the debts of any person or corporation, nor can it in any manner give or loan its credit to any such person or corporation.

**Officers Liable to Impeachment.** The Governor and all civil officers of the state are liable to impeachment for any misdemeanor in office.

It is easy to see that an officer may commit an offense for which he is responsible to the state as its servant, and to the civil authorities as a citizen.

Thus, habitual drunkenness on the part of an officer would unfit him for the duties of his office, and make him subject to impeachment and removal from office. He might also be fined for drunkenness.

**Power of Impeachment.** The House has the sole power of impeachment. Its action in such cases is similar to that of a grand jury in a criminal case, and the charges which it prefers are similar to an indictment. The House hears the evidence against an officer, and, if a majority of all its members so vote, the officer is impeached.

**Trial of Impeachment.** All cases of impeachment are tried by the Senate.

When an officer has been impeached by the House,

the Senate hears the evidence for and against him, and if two-thirds of the Senators elected so vote, he is convicted of the charge or charges against him. When trying cases of impeachment, the Senators are under oath, or affirmation, to do justice according to law and evidence. The Senate in this case acts as a jury.

**Punishment.** The punishment in cases of impeachment can only extend as far as removal from office and disqualification to hold any office of trust or profit in the state. After impeachment and conviction as an officer, a man is still liable to trial and conviction in the courts as a citizen.

**Trial of Governor.** When the Governor is tried, the Chief Justice of the state presides instead of the Lieutenant-Governor. This is the case because, if the Governor should be convicted and removed from office, the Lieutenant-Governor would become Governor; he thus might be interested in the result of the trial.

**State Contracts.** All fuel, stationery, and printing paper, furnished for the use of the state, and all printing and binding ordered by the General Assembly must be let by contract to the lowest responsible bidder. No member of the General Assembly, or other state officer, can be interested directly or indirectly in any contract. All contracts must be approved by the Governor. The contracts are large, and there is a popular notion that men make a great deal of money out of them.

**State Cannot Be Sued.** The State of Illinois can never be made defendant in any court of law or equity.

This provision of our Constitution has a history.

When the United States Constitution was submitted for the ratification of the thirteen states, it contained a detailed statement of the power of the national courts. Among other things this power was to extend to con-

troversies between a state and citizens of another state. During Washington's first term as President, a citizen of South Carolina sued the State of Georgia, and the supreme court of the United States decided that the case was within its jurisdiction by the terms of the Constitution.

The several states, seeing that they were liable to numberless suits, caused, through their representatives, the proposal of an amendment to the Constitution declaring that "the judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against any one of the United States by citizens of another state, or by citizens or subjects of any foreign state." This amendment was ratified by the states, and is known as the eleventh amendment.

**Lotteries Prohibited.** The General Assembly has no power to authorize lotteries or gift enterprises for any purpose, and must pass laws prohibiting the sale of lottery or gift enterprise tickets in the state. Some states have not only allowed lotteries, but have conducted them as a means of paying off their indebtedness.

**Term of Office.** No law can be passed which shall in any way extend the term of any public officer after his election or appointment.

A few years ago a change in the time of electing county superintendents was made which brought the regular elections at one time five years apart. The superintendents who were elected for four years did not hold over the fifth year, but superintendents were appointed by the county boards for that year.

**Protection of Miners.** The General Assembly must pass laws for the protection of miners by requiring the construction of escapement shafts, appliances for ventilation, and other means of safety.

**Drainage.** The General Assembly may pass, and has passed, laws permitting the owners or occupants of land to construct drains across the lands of others, provided the drains are for agricultural or sanitary purposes.

In 1878, an amendment to the state constitution was adopted, authorizing the General Assembly to pass laws providing for the organization of drainage districts. Such laws have been passed.

The corporate authorities of drainage districts have power to construct and maintain levees, drains, and ditches by special assessments upon the property benefited. What is a levee?

**Homestead and Exemption Laws.** Liberal homestead and exemption laws must be passed.

A certain amount of real estate and personal property is exempt from seizure for the payment of ordinary debts. The word "homestead" relates to real estate.

**The New State House.** The Constitution of 1870 provided that not more than \$3,500,000 could be expended upon the new State House, unless a majority of the votes cast at a general election, at which the question was submitted, should be in favor of the additional expenditure. The additional expenditure asked for by the General Assembly was voted upon three times. It was carried in 1884.

## EXECUTIVE DEPARTMENT

**Officers.** The executive department of the state consists of a Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, and Attorney-General.

**Term of Office.** These officers, with the exception of the Treasurer, hold their offices four years. The Treas-

urer's term is two years, and he cannot hold the office two terms in succession. Can you give a reason for this?

**Residence.** All of the executive officers, excepting the Lieutenant-Governor, must reside at the state capitol during their term of office.

Why is the Lieutenant-Governor excepted?

**Election.** An election is held for Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, and Attorney-General on the Tuesday next after the first Monday in November of every year in which there is an election for President of the United States. There is an election for Treasurer and Superintendent of Public Instruction on the Tuesday next after the first Monday in November in the "off years in politics"—that is, half way between the Presidential elections. This arrangement takes the election of Superintendent of Public Instruction out of politics as much as possible without having a general election for him alone. A general election is one at which any state officer is elected.

**Returns of Election.** The election returns for state officers are sealed and sent by the several county clerks to the Secretary of State, directed to "The Speaker of the House of Representatives."

Immediately after the organization of the House, and before any other business is transacted, the speaker opens the returns and announces the result to the two houses who meet together in the hall of the House of Representatives for that purpose.

The person having the highest number of votes for any office is declared elected. If two or more persons have an equal and the highest number of votes for any office, the General Assembly, by joint ballot, chooses one of them for the office.



**Eligibility.** No person is eligible to the office of Governor or Lieutenant-Governor who is not thirty years of age, and who has not been for five years next preceding his election a citizen of the United States and of Illinois.

All the state executive officers, except the Treasurer, are declared by the Constitution to be ineligible to any other office during the time for which they are elected.

**Vacancies.** In case of vacancy by death, resignation or otherwise, of any executive officer, except Governor or Lieutenant-Governor, the Governor fills the vacancy by appointment, and the person appointed holds the office during the remainder of the term.

**Accounts.** All officers of the executive department and of all public institutions of the state must keep accounts of all moneys received and paid out by them, and under oath must make a semi-annual report of these accounts to the Governor.

**Reports.** At least ten days before each regular session of the General Assembly, the officers of the executive department and of all state institutions must report to the Governor. The Governor transmits these reports, and those of the judges of the supreme court concerning defects in the Constitution or the laws, to the General Assembly.

The Governor may require written information, under oath, from any of these officers concerning the affairs of his office.

**Oath.** The executive, and all other civil officers swear (or affirm) that they will support the Constitution of the United States and of Illinois, and that they will faithfully discharge the duties of their respective offices to the best of their ability. No other oath can be required of any civil officer.

## GOVERNOR

**Executive Power.** The Governor has supreme executive power, and must see that the laws are executed.

**Message.** At the beginning of each session of the General Assembly, the Governor sends it a message giving the condition of the state, recommending such measures as he deems best, containing a statement of the money received and paid out by him according to law, and presenting estimates of the amount of money that should be raised by taxation for all state purposes. His message is accompanied by the reports of the other executive officers.

**General Assembly.** Whenever the public good may require it, the Governor may call the General Assembly together in an extra session. The proclamation calling the extra session must state the purpose for which it is called, and no business can be transacted except that given in the proclamation.

If the two houses fail to agree upon the time for adjournment, and the house which first moves the adjournment certifies such failure to the Governor, he may adjourn them to such time as he may think proper, but not beyond the first day of the next regular session.

**Appointment of Officers.** The Governor, by and with the advice and consent of the Senate, appoints certain state officers.

In case of a vacancy in any state office that is not elective, the Governor makes a temporary appointment until the next meeting of the Senate.

A person who has been rejected by the Senate cannot be renominated by the Governor for the same office at the same session, unless at the request of the Senate; nor can he be appointed to the same office during a recess

of the Senate. Were it not for these restrictions, the Governor might keep on nominating the same man for the same office till the adjournment of the Senate and then appoint him to fill the office temporarily until the next meeting of the Senate.

**Removal of Officers.** Any officer appointed by the Governor may be removed by him for incompetency, neglect of duty, or illegal conduct. He may then appoint some one else to fill the vacancy.

**Reprieves, Commutations, and Pardons.** The Governor has power to grant reprieves, commutations, and pardons to persons convicted of crimes.

A reprieve is a temporary suspension of the execution of a penalty.

A commutation is a change from one punishment to another less severe, as from death to imprisonment for life.

A pardon is a complete removal of penalty and restoration to citizenship.

**Commander in Chief of the Militia.** The Governor is commander in chief of the militia of the state when they are not in the service of the United States. The Governor has at all times the appointment of certain officers of the militia.

**Veto.** The Governor's veto has been discussed fully on page 26.

**Salary.** The Governor receives a salary of \$12,000 a year and has the use of the executive mansion.

#### LIEUTENANT-GOVERNOR

**Successor to Governor.** In case of the death, resignation, or disability of the Governor, the Lieutenant-Governor becomes Governor. In case of his disability also

the powers and duties of Governor devolve upon the president *pro tempore* of the Senate, and in case of the disability of that officer they devolve upon the speaker of the House for the remainder of the term.

**President of the Senate.** The Lieutenant-Governor is president of the Senate, but has no vote except in case of a tie.

**Salary.** The Lieutenant-Governor's salary is \$5,000 a year.

#### SECRETARY OF STATE

**Keeper of Public Acts.** The Secretary of State must keep in his office, properly filed and indexed, all public acts, laws, and resolutions of the General Assembly.

When the legislature is not in session, he keeps all books and papers belonging to each house.

**Calls House to Order.** The Secretary of State calls the House of Representatives to order, and presides until a temporary speaker is elected.

**Register.** He must keep a register of all the official acts of the Governor, and of all commissions issued by him. What is a commission? Every justice of the peace or notary public has a commission from the Governor.

**Seal of State.** The Secretary of State is the keeper of the "Great Seal of the State of Illinois," and must affix this seal to all commissions and documents countersigned by himself.

What is a seal? Every notary public in Illinois has one, and a little effort will enable you to see one of these.

**Custodian of Property.** He is custodian of all public buildings and grounds in the City of Springfield.

**Laws and Journals.** He must supervise the distribution of the laws and journals of the General Assembly.

**Report.** He must report the affairs of his office biennially to the Governor.

**Certificate.** He must certify to the correctness of the law and journals when they are published.

**Charters.** The Secretary of State issues charters to corporations.

There are corporations for the purpose of government, as cities and villages; for business purposes, as railroad, insurance, and manufacturing companies; for improvement of members, but not for money-making, as in case of societies and associations; for religious purposes, as church organizations of various kinds.

**Weights and Measures.** The Secretary of State is the keeper of the public standards of weights and measures.

**Registry Blanks.** He must furnish registration blanks to judges of election prior to every general election.

He has other duties of minor importance.

**Bond.** The Secretary of State must give a bond for \$100,000.

**Salary.** His salary is \$7,500 a year.

#### AUDITOR

**Accounts.** The Auditor is the book-keeper of the state. He keeps accounts with all public officers, corporations, and individuals doing business with the state.

Whenever a claim or bill is presented for payment of money out of the state treasury, he examines, or audits, it to see if it is legal.

**Warrants.** If the Auditor finds a claim to be legal and just, he signs an order on the Treasurer for the

proper amount. Such orders are called "auditor's warrants." He keeps a record of all warrants signed by him.

The Auditor is the "watch-dog of the treasury."

**Rate of Taxation.** The Auditor assists the Governor in computing the rate of taxation necessary to raise sufficient revenue for state purposes.

The legislature fixes the amount to be raised by taxation.

**Report.** The Auditor reports biennially to the Governor.

**Bond.** He gives a bond for \$50,000.

**Salary.** His salary is \$7,500 a year.

#### TREASURER

**Public Funds.** The Treasurer must receive and safely keep all moneys which are authorized by law to be paid to him.

The Treasurer is not allowed to receive and receipt for any money whatever unless he has an order from the Auditor directing him to receive it. Neither can he pay out money except upon the Auditor's warrant. When he pays an order, he must cancel it with some instrument that will cut or perforate the paper.

Give a good reason for each of these provisions.

**Monthly Settlements.** The Treasurer must settle with the Auditor at the close of each month, stating the amounts received and paid out, and on what accounts. He must also return all warrants canceled by him, and obtain the Auditor's receipt for them.

**Report.** The Treasurer makes a biennial report to the Governor.

**Bond.** The Treasurer's bond is for \$500,000.

**Salary.** His salary is \$10,000 a year.

## SUPERINTENDENT OF PUBLIC INSTRUCTION

The duties of this officer are given in CHAPTER VIII on the public school system.

## ATTORNEY-GENERAL

**State and State Officers.** The Attorney-General represents the people of the state in all suits in which they are interested before the supreme court. He also acts as attorney for state officers, when suits are brought against them as officers.

**Advisory Duties.** The Attorney-General consults with and advises state's attorneys concerning their duties.

He advises the Governor and other state officers, and, when requested, gives written opinions upon all legal and constitutional questions relating to the duties of these officers. He also gives such written opinions at the request of either house of the General Assembly or of any legislative committee.

**Funds.** The Attorney-General sees that the funds appropriated to the several state institutions are properly used.

**Records.** He keeps a records of his official acts, and of the opinions given by him while in office, and gives these records to his successor in office.

**Bond.** A bond for \$10,000 must be given by the Attorney-General.

**Salary.** His salary is \$10,000 a year.

Name the executive officers of the state. When was each elected?

## JUDICIAL DEPARTMENT

## SUPREME COURT

**Grand Division.** Prior to 1897 the state was divided into three grand divisions and one term of court was held each year in each division. The entire state now constitutes one grand division.

**Terms.** There are now five terms of court each year. These are all held at Springfield, the sessions at Ottawa and Mount Vernon having been discontinued.

**Judges.** There are seven judges of the supreme court; they choose one of their number for chief-justice.

Four judges must agree to every decision.

**Term.** The judges of the supreme court are elected for nine years.

**Election Districts.** The state is divided into seven districts for the purpose of electing the judges of the supreme court. Each district elects one judge.

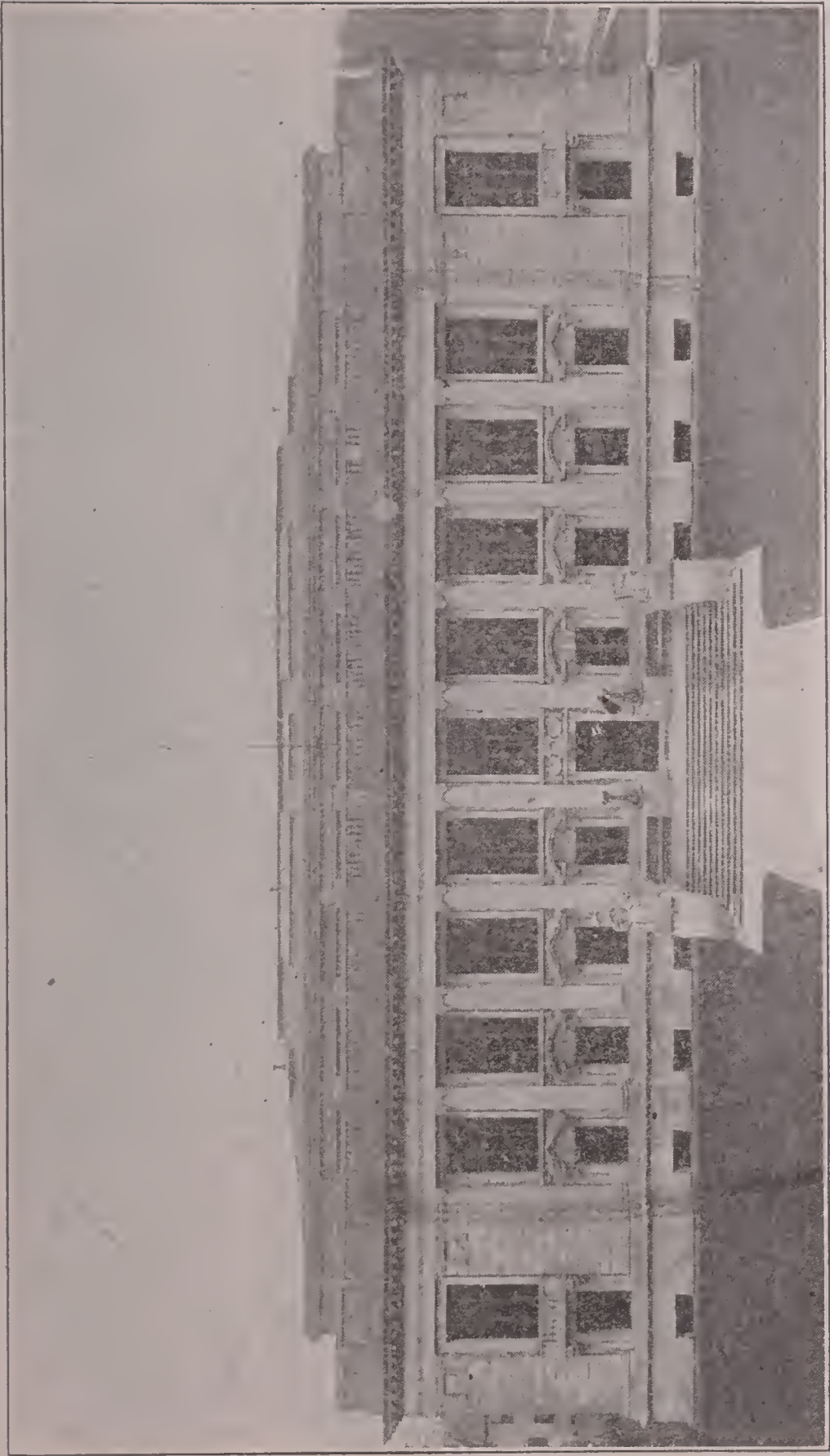
**Clerk.** A clerk of the supreme court is elected for the entire state for six years. His salary is \$7,500 a year.

**Original Jurisdiction.** The supreme court has original jurisdiction in cases relating to the revenues of the state, and in *mandamus* and *habeas corpus* cases. By this is meant that suits relating to these matters may be begun in the supreme court.

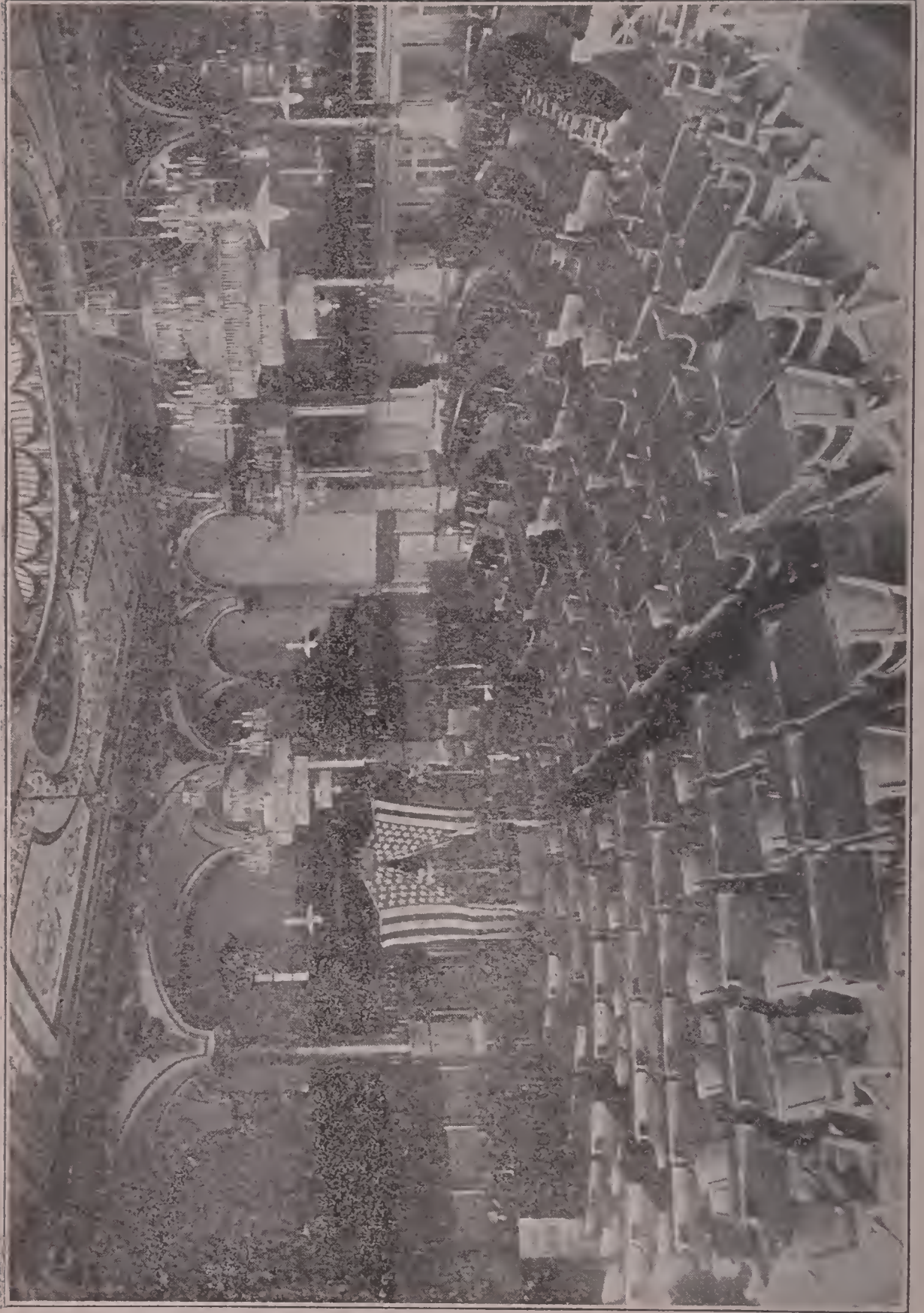
A case of *mandamus* is brought for the purpose of compelling a public officer or corporation to perform certain duties.

A case of *habeas corpus* has for its object the prevention of false or unjust imprisonment. By it the prisoner is brought into court, and the cause of his imprisonment is investigated.





ILLINOIS SUPREME COURT BUILDING, SPRINGFIELD



THE ASSEMBLY CHAMBER, SPRINGFIELD

**Appellate Jurisdiction.** The supreme court has appellate jurisdiction in all criminal cases, and in all civil cases in which the amount in dispute is one thousand dollars or more. By appellate jurisdiction is meant that appeals may be taken to the supreme court in such cases after they have been tried in a lower court.

A criminal case is a suit brought for the purpose of punishing some person for violating a public law.

A civil case is a suit brought by a person, company, or corporation, called the plaintiff, against another person, company, or corporation, called the defendant to compel the defendant to pay the plaintiff a sum of money or give up to him certain property. Suits for money may be for debts due the plaintiff, or for damages on account of injury done him by the defendant.

**Decisions Final.** The decisions of the supreme court are final except in cases involving a state law which conflicts with a United States law. Such cases may be carried to the United States Supreme Court.

**Salaries of Supreme Judges.** The judges of the supreme court elected after 1924 receive \$15,000 a year.

The clerks receive fees which are prescribed by law.

#### APPELLATE COURTS

**Districts.** The state is divided into four appellate court districts. Each appellate court appoints a clerk for a term of six years.

**Clerks for Judges.** Each appellate judge is allowed a clerk who must be a licensed attorney and whose salary is \$2,000 per annum.

**Judges.** The appellate judges are elected circuit judges, and are appointed appellate judges by the supreme court.

**Sheriff.** The sheriff of the county in which the appellate court is held attends the sessions of the court or appoints a deputy to do so.

**Jurisdiction.** The appellate courts have appellate jurisdiction only. Their jurisdiction extends to all cases of appeal from circuit courts, city courts, or the superior court of Cook County, except in criminal cases and those involving a franchise, a freehold, or the validity of a law. These cases must be appealed directly to the supreme court.

A franchise is a special privilege given by the state to an individual or corporation.

The term *freehold* applies to real estate titles.

**Decision.** The decision of the appellate court is final in all cases in which the amount in dispute is less than one thousand dollars. When the amount is one thousand dollars or more, the case may be taken to the supreme court.

**Salaries.** Appellate judges receive the same salaries as circuit judges—\$15,000 a year in Cook County, and \$6,500 elsewhere. The clerks receive fees.

#### COURT OF CLAIMS

**Judges.** The Governor, with the consent of the Senate, appoints three persons to serve four years as a court of claims to adjust claims of various kinds against the state. Each member of the court receives a salary of \$1,500 a year.

#### CIRCUIT COURTS

**Circuits.** With the exception of Cook County, all of the counties of the state are arranged by the legislature

into seventeen divisions called circuits. Cook County alone constitutes a circuit.

**Judges.** Three judges are elected in each circuit every six years. Usually two of these hold circuit courts, and the third acts as one of the judges of the appellate courts. Cook County now elects twenty circuit judges.

The circuit court is so called because its judges go from county to county for the purpose of holding court.

**Circuit Clerk.** Each county elects a circuit clerk for a term of four years. He attends the sessions of the circuit court in his county, and keeps a record of the proceedings of the court.

He keeps account of the costs of all suits in the circuit court in his county. These costs are made up of the fees of the sheriff, clerk, witnesses, jury, and others, and are usually paid by the person against whom the suit is decided.

The circuit clerk also issues the summonses, subpoenas, executions, and other processes of the court. In counties of less than 60,000 inhabitants, he also acts as recorder of deeds for his county.

**Master in Chancery.** In each county there is a master in chancery who is appointed by the judges of the circuit for two years. To him are referred many matters for investigation. He reports the results of his investigation to the court. Chief among his other duties is the sale of real estate in cases of foreclosure of mortgages.

**Jurisdiction.** The circuit courts have original jurisdiction in all criminal cases and in civil cases between citizens of the state. They have appellate jurisdiction in all cases tried before the county and probate courts and justices of the peace.

**Courts of Cook County.** Besides the circuit court, there are in Cook County two courts not held in other counties. The Superior Court of Cook County was formerly known as the Superior Court of Chicago; the Criminal Court of Cook County was formerly known as the Recorder's Court of the City of Chicago.

**Salary.** The circuit judges receive \$6,500 a year, except those in Cook County; they receive \$15,000 a year.

**Grand Jury.** The grand jury of every county assists the circuit court in bringing offenders to trial.

A grand jury consists of twenty-three men who are selected by the county board. This jury meets at the place of holding the circuit court, and investigates all criminal charges brought to its notice against persons for crimes committed within the county. It hears evidence against accused persons, but nothing in their defense. If it has just cause to believe a person guilty of a crime, it furnishes the court with a paper in which the person is named, and his crime described, and advises that he be brought to trial.

Such a paper is called an "indictment," and the person is said to be "indicted" by the grand jury. In every case of indictment, sixteen grand jurors must be present, and twelve must agree to the indictment. An indictment is often called "a true bill." This comes from the fact that the paper is prepared by the State's Attorney and is indorsed by the jury "A true bill," if the accused is found guilty. A copy of the indictment giving a list of witnesses against him is furnished the accused.

The meetings of the grand jury are not open to the public.

**Petit Jury.** Almost all cases in the circuit court are tried by a petit jury consisting of twelve men. This jury sits in open court and hears the evidence against and in

behalf of the defendant, together with the arguments of the lawyers on both sides. The judge then instructs the jury as to the law concerning the case, and the manner in which it should weigh the evidence for and against the defendant. The jury then retires to the jury room, being all the while in charge of an officer, and agrees upon a verdict, if possible. A verdict cannot be rendered unless all the jurors agree to it. This applies as well to civil as to criminal cases.

In trials before justices of the peace, juries are not instructed by the court.

When a case is appealed to a higher court, a complete transcript in writing of the record of the proceedings of the court below is filed by the party who appeals. This record is examined and reviewed by the upper court, and, if no errors appear, the judgment or decree of the court below is affirmed. If any substantial error appears, the judgment or decree is reversed and, usually, the case is remanded to the lower court for a new trial.

Jurors are drawn by lot from a list of legal voters prepared by jury commissioners in Cook County, and by the county board in all other counties. Jurors serve two weeks, and receive \$3 a day and 5 cents mileage each way for one round trip.

### QUESTIONS AND TOPICS FOR STUDY

1. Who is the chief executive officer of the state? 2. What is the highest judicial office in the state? 3. Classify each of the following acts as legislative, executive, or judicial:

(a) The Governor signs a bill; (b) he signs a commission in the militia; (c) he signs a pardon for a criminal; (d) he sends a message to the legislature recommending the passage of a law; (e) he vetoes a bill; (f) the Lieutenant-Governor pre-

sides over the Senate during legislation; (g) he presides during an impeachment trial; (h) he acts as Governor during that official's absence from the state; (i) the Senate passes a resolution; (j) it refuses to pass a bill; (k) it confirms an officer appointed by the Governor; (l) it sits in impeachment trial; (m) the supreme court upholds a law; (n) it declares unconstitutional an amendatory act; it issues a writ of mandamus; (o) the Attorney-General advises the State Superintendent of Schools upon points in the school law; (p) he prosecutes for the violation of a law.

4. Explain: (a) Committee of the whole; (b) yeas and nays; (c) enacting clause; (d) veto; (e) pocket veto; (f) reprieve; (g) commutation; (h) pardon; (i) seal of state; (j) original jurisdiction; (k) appellate jurisdiction; (l) indictment; (m) true bill; (n) petit jury; (o) grand jury.

5. Make a table similar to this and complete by supplying the needed information. Preserve for future reference.

OFFICE	LENGTH OF TERM	SALARY	DUTIES	PRESENT INCUMBENT
Governor				
Lieut.-Governor				
Secretary of State				
Auditor				
Treasurer				
Superintendent of Public Instruct'n				
Attorney-General				
Representative from your dist.				
Senator from your district				
Circuit judges from your dist.				



## CHAPTER III

### THE DIVISIONS OF THE STATE

#### DESCRIPTION OF THE DIVISIONS

**Counties.** Counties are divisions of the state made in order to bring matters of government nearer to the people. They are formed by the legislature of the state, usually upon petition of the people directly concerned. They are named in the acts which create them.

The county does not bear exactly the same relation to the state that the latter does to the nation. The state is sovereign in many particulars, while the county has no sovereign power whatever. It has no constitution, and all its powers are given to it by the state legislature.

There are one hundred and two counties in Illinois.

**Townships.** In this state we have *two correct* uses of the word *township*. These uses should be carefully learned, so as to distinguish clearly from each other and from the uses of the word *town*.

**Congressional Township.** *The congressional township is the unit of the United States survey system and is simply a tract of land six miles square.* It is a division rather of the United States than of the state, and is common to all states and territories surveyed by this system. It is not a *political* division of the county, state, or United States, and consequently has no officers. It has a single purpose—to assist in the description of real estate. It is always designated by number.

**School Township.** The school township is a political division of the county with reference to *school affairs only*, and in boundary is coincident with the congressional township of like number and description. Section twenty-three of the school law provides that every congressional township shall be considered a township for school purposes.

The school township officers are three trustees of schools and a township treasurer. The latter is often called the school treasurer.

The school township has the single purpose of assisting in certain school affairs. It is always designated by number—never by name, being numbered exactly like the congressional township with which it coincides. There need be no confusion on this account, as the two townships are never spoken of in the same connection.

**Towns.** The word *town* has so many different meanings that it is somewhat difficult to apply it correctly at all times. Its use as a general term for villages and cities is correct in ordinary conversation, as where we speak of “going to town,” or “going out of town.” But in the study of civil government we must discard this use of the word, and speak only of its two uses in connection with civil affairs.

**Organized Towns.** The organized town is a political division of the county with reference to civil affairs only. It has no connection whatever with the description of real estate, with the school system, or with incorporated government like that of a city or village. It has a single purpose—to assist in local government in civil affairs. In almost all counties in the state, especially those in the central and northern part, every one lives in some town in this sense of the word.

If all organized towns had been formed as was in-

tended by the law, they would each be six miles square, except where there are fractional congressional townships.

The organized town is always designated by name—never by number. Whenever the word *town* is used in this book, the organized town is meant, except when the expression *incorporated town* is used.

**Township Organization.** The Constitution of 1848 provided that “the General Assembly shall provide, by a general law, for a township organization.” Accordingly a law was enacted that all counties which should elect to do so in a prescribed manner might adopt what is known as “township organization.”

Counties so electing are divided by three commissioners, appointed by the county board, into towns which shall coincide with the townships of the county. When a township has too few inhabitants for a separate organization it may be added to some adjoining town or divided between two or more towns for the time being. Fractional townships may be added to some adjoining town. A glance at a complete map of the state will show that few counties, if any, have *all* of their towns coincident with the township. Has your county?

A majority of the towns, however, coincide with the townships. In such cases, the township election (for school trustees) and the town election (annual town meeting) are held on the same day. This fact gives rise to the common error of calling the officers of the *town* “township officers.”

Counties are divided into towns in order to bring matters of local government still nearer the people. This and the government of counties not under township organization will be fully explained later.

The term "township organization" used in the law is evidently a misnomer; it should be "town organization," since so many towns are not organized townships, not being coincident with the latter.

**Incorporated Towns.** It is to be regretted that prior to the enactment of the law authorizing the organization of towns for local government, a law was enacted which provides for the incorporation of towns, divided into blocks and lots, having streets and alleys, and governments similar to that of villages. In fact, the word *town* is used in the same sense as the word *village*. A few such towns have been incorporated, but almost all such incorporations are termed villages.

Unless there is such a town near you, it will be better for you to dismiss this use of the word from your mind, and to think only of the organized town.

**School Districts.** School districts are divisions of the school township, and have reference to school affairs only.

**County Organization.** Counties not under township organization are said to be under county organization. There are nineteen such counties in Illinois. In some of these the proposition to organize has been voted on and defeated several times.

The chief argument in favor of township organization is that it brings the government nearer the people. One feature of this is that it makes several town offices to be filled by residents of the town. Many men, doubtless, work and vote for township organization hoping to obtain an office.

The leading argument against township organization is that it increases the cost of government very materially. Taxes are necessarily higher in counties under township organization. Of course it may be claimed that

the government is enough better to overcome the disadvantage of increase in cost.

**Cities and Villages.** The government of cities and villages is described in another chapter. They are commonly spoken of as towns but in the study of the civil government of Illinois you must discriminate sharply between cities and villages and towns, except in the few cases where there are incorporated towns.

Cities and villages have certain corporate privileges which towns have not. They are organized in a wholly different manner, and for a different purpose.

In many cases the name of a town is the same as that of a city or village within its limits. This fact often gives rise to confusion in common speech.

### QUESTIONS AND TOPICS FOR STUDY

1. Why do we have counties? 2. How many are there in Illinois? 3. Distinguish between an *organized* town and an *incorporated* town. 4. (a) In what congressional township do you live? (b) In what school township? (c) town? (d) city or village? 5. (a) Bound the county. (b) The congressional township? 6. Consult the complete table of congressional, senatorial, and judicial districts and the judicial circuits on Page 208.

CHAPTER IV  
COUNTY GOVERNMENT  
LEGISLATIVE DEPARTMENT

**Board of Supervisors.** The laws made by the General Assembly apply to all counties alike, and only such laws are made by it as are general in their nature. Every county has measures for its own government which apply only to itself. These measures must not conflict with any general law of the state.

In counties under township organization, the legislative acts are performed by the board of supervisors. The members of this board are elected by the several towns in the county, and perform duties as town officers aside from their duties as members of the "county board," as the board of supervisors is called. In counties not under township organization the board of county commissioners is also called the county board.

**Meetings.** The board of supervisors holds its annual meeting on the second Tuesday of September. It also holds a regular meeting on the second Monday in June in each year. Special meetings may be held at the request of at least one-third of the members of the board.

**County Seat.** The county board meets at the county seat, and, if possible, in the court house. The county seat is the city or village in which the business of the county is transacted.

**Organization.** The county board organizes at the first meeting of the year by choosing one of its number

chairman. The chairman presides over all the meetings, and appoints the various committees through which the business of the board is largely done. The county clerk is clerk of the board of supervisors.

**Open Doors.** The board must hold its meetings with open doors. Why?

**Proceedings Published.** A brief account of the proceedings of every meeting must be published in a county paper if it can be done without unreasonable expense.

**New Towns.** The board may change the boundaries of towns, create new towns, and give names to them. No two towns in the state shall have the same name. The State Auditor keeps an alphabetical list of all the towns, and must be consulted in case a new name is to be given.

Have you a clear notion of what is meant by the word *town*, as here used?

**Care of Property.** The county board has the care of all property belonging to the county. The board also has the management of nearly all the funds belonging to the county.

**Auditing Bills.** The county board must settle all just claims against the county, and audit all accounts concerning the receipts and expenditures of the county.

**Levy of County Tax.** The county board may levy a tax not to exceed seventy-five cents on one hundred dollars' valuation for county purposes.

If the county was in debt at the time of the adoption of the present Constitution, a tax not to exceed one dollar on one hundred dollars' valuation may be levied to pay the principal and interest for such indebtedness. Any additional levy must be submitted to a vote of the people.

**County Buildings.** The county board must erect a courthouse, jail, and other necessary public buildings. Furnished offices must be provided for the county officers. Some of these offices are to be fireproof, or furnished with fireproof safes, whenever the finances of the county will permit.

**Books and Stationery.** The board must furnish suitable books and stationery for the use of the county board and the several county officers.

**Annual Financial Statement.** The county board must prepare and publish an itemized statement of the receipts and expenditures of the preceding year together with the actual condition of affairs at the end of the year.

**Prosecute and Defend Suits.** Suitable measures for the prosecution and defense of suits brought by or against the county must be taken by the county board.

**Pay of County Officers.** The pay of the officers, except the county superintendent of schools, is fixed by the county board, and cannot be changed during the term for which the officers are elected. Why not?

**Treasurer's Accounts.** It is the duty of the county board to examine the books of the county treasurer, and to count the money at least as often as once every six months.

**Grand and Petit Jurors.** Grand juries are selected by the county boards in their respective counties.

As nearly as can be, a proportionate number of grand jurors are to be chosen from each town in the county.

Each year the board prepares lists of not less than one-tenth of the legal voters of each town, which lists are kept in the office of the county clerk. The county clerk writes each man's name and address upon a separate ticket, and puts all the tickets in a box kept for the purpose. At least twenty days before a trial court



convenes, the clerk of the court, in the presence of the county clerk, draws the names of a sufficient number of petit jurors from the box.

**Other Powers and Duties.** The county board may also allow, regulate, and condemn toll roads and bridges; grant liquor licenses; establish county normal schools; offer rewards for criminals; and offer rewards for raising timber.

**Board of County Commissioners.** In counties not under township organization, the county board consists of the three commissioners elected by the whole county for a term of three years, one commissioner being elected each year. These counties are divided by the county board into precincts for election purposes, and into districts for road purposes.

The powers and duties of the board of commissioners are almost the same as those of the board of supervisors.

**Commissioners of Cook County.** The County of Cook is governed by a board of county commissioners, fifteen in number. Ten of these commissioners are elected from Chicago and five from that part of Cook County which is outside Chicago. All the commissioners serve four years.

## EXECUTIVE DEPARTMENT

**Officers.** The executive department consists of the county clerk, treasurer, recorder, county surveyor, superintendent of schools, and the committees of the county board when carrying out the instructions of the whole board. All of the officers named execute the state laws which apply to their duties, and also the measures passed by the county board. All of the executive officers of the county are elected for four years.

## COUNTY CLERK

**Records.** The county clerk has charge of certain books and papers pertaining to the county's business.

**County Board.** He is clerk of the county board of his county, keeps a record of its proceedings, and keeps on file all accounts passed upon by the board.

**Orders.** He must keep a complete record of all orders drawn upon the county treasurer.

**Bonds.** The official bonds of certain county and town officers are filed in the office of the county clerk. He must keep an alphabetical list of these bonds, giving names of sureties and other essential facts.

**Indexes.** He must keep alphabetical indexes of all records and papers filed in his office.

**Copy.** The county clerk must furnish to any person who will pay the proper fee, a copy of any record, paper, or account in his office.

**County Court.** The county clerk must attend the sessions of the county court, and keep a complete record of all its proceedings. He is an officer of the judicial department of the county when thus acting as clerk of the county court.

**Marriage Licenses.** He issues marriage licenses.

**Canvassing Vote.** After every general election, the county clerk and two justices of the peace of his county canvass the votes of the county and make abstracts showing the number of votes received by each candidate. These abstracts are filed in the county clerk's office.

**Taxes.** He computes the amount of tax to be paid by every person subject to taxation in the county and supplies collectors with books which show the amount.

## COUNTY TREASURER

**Collector of Taxes.** In counties having less than 100,000 inhabitants the office of township collector was abolished in 1917, and the county treasurer will hereafter collect the taxes of the county. Since the township collectors were allowed to retain two per cent of the taxes they had collected, while the county treasurer works on a salary and is allowed no commission for collecting, this law will result in a great saving for the tax payers.

**Public Funds.** The county treasurer must receive, safely keep, and pay out according to law all public money that may properly come into his hands. He must keep a complete record of the business of his office.

**Supervisor of Assessments.** In counties under township organization of less than 125,000 inhabitants, the county treasurer is *ex officio* supervisor of assessments of taxes in his county.

**Report.** The treasurer must report to the county board at each of its regular meetings all sums received and paid out by him since his last report. These reports are filed in the county clerk's office.

**Settlements.** Twice each year the county board must make a settlement with the treasurer.

**Reëlection.** An amendment to the state constitution was adopted in 1880, providing that no person having once been elected to the office of sheriff or treasurer shall be eligible to the same office for four years after the expiration of the term of office for which he was elected.

## RECORDER

**Deeds.** The recorder must copy into books provided for the purpose all deeds, mortgages, and other papers pertaining to the title of lands, when the papers

are presented to him for that purpose. The person presenting such a paper must pay a prescribed fee in order to have it copied, or recorded, as it is called. In case a paper so recorded is lost, the recorder's books will show its contents. Chattel mortgages, or mortgages upon personal property, may also be recorded.

**Records Open to the Public.** All records and indexes are now open to the public, and abstracts may be taken from them without charge.

In counties of less than sixty thousand inhabitants the circuit clerk is *ex officio* (by virtue of his office) recorder of deeds. In counties of sixty thousand or more inhabitants there is a separate recorder. Fifteen counties in the state may have separate recorders under the census of 1920.

#### COUNTY SURVEYOR

**Duties.** The county surveyor makes surveys within his county when called upon to do so. He keeps a record of surveys thus made. The record is open to the inspection of all persons interested in the surveys.

#### SUPERINTENDENT OF SCHOOLS

The duties of county superintendents of schools are given in CHAPTER VIII on the public school system.

#### COUNTY SUPERINTENDENT OF HIGHWAYS

**Appointment.** The county superintendent of highways is not elected by the people of the county, but is appointed by the county board from among persons

found eligible for the position by the State Highway Commission upon competitive examination.

**Duties.** He acts for his county in all matters relating to the supervision of the construction and maintenance of roads and bridges in which the county is financially interested, either alone or in conjunction with the state or with any town or road district of the county.

This officer serves six years and receives a salary fixed by the county board. Only counties maintaining "state aid" roads have superintendents of highways.

## JUDICIAL DEPARTMENT

**Officers.** The officers of the judicial department of the county are county judge, probate judge, county clerk (when acting as clerk of the county court), sheriff, state's attorney, and coroner. Although elected by the county, and termed a county officer, the circuit clerk is really an officer of the circuit court, and his duties were given in that connection. Review them.

**Term.** These officers are all elected for four years.

**Salaries.** Their salaries are fixed by the county board.

## COUNTY COURT

**Judge.** The county judge is judge of the county court.

**Law Jurisdiction.** The county courts have exclusive jurisdiction in suits authorizing the sale of real estate for the collection of taxes.

They have concurrent jurisdiction with the circuit courts in all cases like those in which justices of the peace have jurisdiction, and in which the amount in

dispute is not more than one thousand dollars. They also have concurrent jurisdiction with the circuit courts in criminal cases when the punishment is not imprisonment in the penitentiary or death; and in all cases of appeal from justices of the peace and police magistrates. When two or more courts have concurrent jurisdiction in any matter, suits may be brought in any one of them. In suits for two hundred dollars or less, justices of the peace, county and circuit courts have concurrent jurisdiction.

**Probate Jurisdiction.** In counties of less than seventy thousand inhabitants, the county court has original jurisdiction in all matters relating to the settlement of the estates of deceased persons; the appointment of guardians of minors, and conservators of the insane and feeble-minded, and the settlement of their accounts; and in all matters relating to apprentices.

#### PROBATE COURT

**Judge.** In counties having more than seventy thousand inhabitants a probate judge must be elected to attend to the probate business of the county. In this case the county court has only law jurisdiction, and a separate probate court is established.

**Clerk.** A probate clerk is also elected in such cases.

Under the census of 1910 only ten counties have separate probate judges. They are Cook, Kane, La Salle, Madison, Peoria, Rock Island, Sangamon, St. Clair, Vermilion, and Will.

#### SHERIFF

**Attendance at Courts.** The sheriff must attend all the sessions of circuit and county courts and obey their

lawful orders. He convenes and adjourns the court when directed to do so, and preserves order in the court.

**Service of Writs.** The sheriff serves all warrants, summonses, subpoenas, executions, and other papers that the court may issue.

A warrant directs the sheriff to arrest a certain person accused of a crime.

A summons directs the sheriff to summon a certain person to appear in court to answer a demand made by another person named in the summons.

A subpoena commands a certain person to appear in court as a witness.

An execution empowers the sheriff to carry a judgment into effect. A common form of execution is that which directs the sheriff to seize certain property and sell it to pay the obligations of a person against whom a suit has been decided.

**Conservator of the Peace.** Every sheriff is conservator of the peace in his county, and it is his duty to suppress riots, fighting, and all breaches of the peace, and to prevent crime. He may arrest, without a warrant, persons whom he sees breaking the law, and take them before a magistrate.

**Custodian of Court House.** The sheriff has charge of the court house and jail in his county.

**Care of Prisoners.** He sees that all prisoners are properly guarded and supplied with suitable food.

When prisoners are sentenced to the penitentiary or reform school, the sheriff removes them thither. He also hangs criminals condemned to death.

**Deputies.** The sheriff may appoint deputies to assist him in his work. These deputies have all the powers of the sheriff, and their official acts are considered as acts of the sheriff, he being responsible in all cases for them.

**Ineligible to Re-election.** A person having once been elected to the office of sheriff is not eligible to re-election for four years after the expiration of the term for which he was elected.

#### STATE'S ATTORNEY

**Prosecution of Criminals.** The State's Attorney sees that offenders against the laws are indicted, arrested, and brought into court for trial. He then endeavors to prove their guilt and have them punished. He is often called the "prosecuting attorney."

**Civil Suits.** The State's Attorney carries on, in behalf of the county, all lawsuits brought for or against it, and in cases brought against county officers as such, he defends the officers.

**Advisory duties.** He is the legal adviser of all county officers and justices of the peace.

#### CORONER

**Inquests.** Whenever the coroner is informed that some person within the county has met with death from violence, accident, or any undue means, it is his duty to go to the place, and, with the aid of a jury, inquire into the cause of the death. Such an examination is called an inquest. A record of the inquest is kept in a book provided for the purpose. The coroner reports the result of the examination to the county clerk.

**Arrest of Slayer.** If any person is found to be implicated in the murder of the deceased, it is the duty of the coroner to arrest him and hold him for further examination and trial.



QUESTIONS AND TOPICS FOR STUDY

1. Name all of the judicial officers of your county. 2. What constitutes the legislative department of your county government? 3. Is your county under township organization or county organization? 4. If under county organization, name the county commissioners. 5. If under township organization, name the supervisor from your town. 6. Why do you want an honest and capable man in that office? 7. Make a table similar to the following, and complete it by furnishing the necessary information. Preserve for future reference. These officers are all elected by the people.

OFFICE	LENGTH OF TERM	SALARY	DUTIES	PRESENT INCUMBENT
County Clerk				
Treasurer				
Circuit Clerk				
State's Attorney				
Recorder				
Surveyor				
Supt. of Schools				
Sheriff				
County Judge				
Probate Judge				
Probate Clerk				
Coroner				

CHAPTER V  
TOWN GOVERNMENT  
LEGISLATIVE DEPARTMENT

**Annual Town Meeting.** On the first Tuesday of April every town in the state holds its annual town meeting for the election of officers and the transaction of the business of the town. Probably not five per cent of the voters of the state now attend these meetings. The town meeting has ceased to be an effective means of government.

**Moderator.** At some time between the hours of eight and nine o'clock in the forenoon, the voters present are called together by the town clerk. One of their number is chosen moderator, and two judges appointed by the county board take their places as judges of the election. The moderator is a judge of the election, and also presides over the meeting during the transaction of miscellaneous business. The moderator must take an oath before entering upon the duties of his office.

**Clerk.** The town clerk last elected is clerk of the annual town meeting, and must keep a full and faithful record of all its proceedings.

**Manner of Voting.** The town clerk must supply a suitable ballot box. This box, made of tin or wood, is shown to be empty at the beginning of the election, and is then kept locked until the voting is done.

In 1891 the legislature passed an election law mod-

eled after what is known as the "Australian System." All ballots are printed at public expense. The names of the candidates of all parties are put upon one ballot, under proper headings. No "ticket peddlers" are allowed, and no "electioneering" can be done within one hundred feet of the polls. The voter enters the polling place and gives his name to one of the judges who calls it out in a loud tone of voice. If the person is found to be entitled to vote he is allowed to enter a space enclosed by a guard rail. A judge of election then gives him one ticket, and only one, which the voter takes into an enclosed place called a booth, where, all alone and out of sight of everybody, he marks the names of the candidates for whom he wishes to vote. If he cannot read, or is physically unable to mark his ballot, two election officers assist him, but are not allowed thereafter to tell how he voted. The voter, having marked his ballot, folds it so as to conceal the marks made by him thereon, and, leaving the booth, hands it to an election judge, who places it in the ballot box *without numbering it*, as was formerly done. The voter then passes out and is not again allowed to enter the space enclosed by the guard rail during that election, nor can he by any means carry a ballot away with him.

When the polls are closed, the ballot box is opened by the judges and the votes are canvassed—that is, the names of the persons voted for each office are ascertained, and a record made of the number of votes each person receives. The result of the election is then publically announced. All Illinois elections, except for school officers, are conducted in this way. And in school districts of more than 1,000 inhabitants operating under the general school law the principal features of this system apply to the election of the board of education.

**Miscellaneous Business.** At two o'clock in the afternoon the polls are closed temporarily and the moderator calls the meeting to order for the transaction of miscellaneous business.

All questions are decided by a majority of the legal voters present. The following are the most important matters that may be acted upon:

**Taxes.** Money may be directed to be raised by taxation for constructing or repairing roads and bridges, for the prosecution or defense of lawsuits for or against the town, and for a few other purposes.

**Lawsuits.** The meeting may instruct the proper officers concerning the lawsuits of the town.

**Canada Thistles.** Rewards may be offered for the destruction of Canada thistles and other noxious weeds.

**Fences.** The meeting may determine what shall be a lawful fence in the town.

**Trees.** Action may be taken to induce the planting of trees along the highways. Premiums may be given for this purpose.

**Stock.** The meeting may restrain and regulate the running at large of stock, establish and maintain a pound, appoint a poundmaster and prescribe his duties.

**Public Wells.** Public wells and water places may be provided for, and their use regulated.

**Public Health.** Measures may be taken to prevent unhealthfulness in the town.

**Road Tax.** The voters may determine whether the road tax of the town shall be paid in money or in labor.

**Reports of Officers.** The voters receive and act upon the reports of officers for the past year.

When the miscellaneous business is concluded, the moderator so announces, the polls are reopened, and the voting continues till time for closing the polls.

**Voters.** All persons twenty-one or more years of age who are citizens of the United States and who have resided in the state one year, in the county ninety days, and in the election district thirty days, are entitled to vote at the annual town meeting, and at all other elections in this state.

**Woman Suffrage.** By an act of the legislature passed in 1913 the women of Illinois were given the right to vote on an equality with men for nearly all elective officers and the right to vote upon all questions or propositions submitted to the vote of the electors of municipalities or other political divisions of the state and at all town meetings.

Therefore, very little was added to the voting power of the women of Illinois when equal suffrage with men was conferred upon the women of the United States by the ratification and formal proclamation of the nineteenth amendment to the federal constitution August 26th, 1920. This nineteenth amendment, popularly known as the Susan B. Anthony amendment, is substantially in the same form in which it was originally drafted by Susan B. Anthony and Elizabeth Cady Stanton in 1875. Its adoption by Congress in 1919 gave the states their first opportunity for ratification. Illinois was the first state to ratify. (See page 218.)

**Primary Elections.** The primary election laws of 1910 provide that the primaries of all political parties shall be held at the same time and place and that the expenses thereof shall be paid out of public funds in the same manner as in case of regular elections.

At primary elections each party is provided at public expense with separate ballots bearing a distinctive color and containing the names of none but candidates of that

party. The names of candidates are put upon their party ballots by petition and in the order in which the petitions are filed as required by law.

The primary election laws apply to the nomination of candidates for all elective offices, except presidential electors, trustees of the University of Illinois, township (so-called) and school officers. These laws also apply to the election of all precinct, senatorial and state central candidates for President of the United States.

**Who May Vote:** Every voter at a primary election must vote his own party ticket. He is required to state the name of the party with which he affiliates, and one of the judges must announce the name of the voter, his residence, and his party affiliation in a distinct tone of voice loud enough to be heard by all persons in the polling place. This is done so the voter may be challenged should he undertake to vote a ticket different from his own party. If no challenge is made the judge hands the voter the ticket of the party which he has announced.

No person is entitled to vote at a primary election who shall have signed a petition for the nomination of a candidate of another party or of an independent candidate, nor if he shall have voted with another political party at a primary within two years. This precaution is rendered necessary to prevent the voters of one party from dictating the candidates of another party.

**Plurality Vote.** The person receiving the highest number of votes at a primary election as a candidate of a party for a given office becomes the nominee of his party for such office by virtue of such vote. Tie votes are decided by lot as provided by law. Party conventions no longer have anything to do with nominations for offices to which the primary election laws apply.

**Special Town Meetings.** The supervisors, town clerk, and a justice of the peace, or any two of these officers together with at least fifteen voters of the town, may cause a special town meeting to be held, by filing with the town clerk a statement, in writing, that such a meeting is necessary for the good of the town. The objects of the meeting must be given in the statement.

Notice of the meeting is given in the same manner, and for the same length of time as for annual town meetings. The notice must state the objects of the meeting as given in the written statement filed with the town clerk, and no business can be done except that for which the meeting was called. Why this provision?

## EXECUTIVE DEPARTMENT

**Officers.** The executive officers of the town are supervisor, clerk, assessor, and highway commissioner. There is no *town* treasurer. The supervisor and the highway commissioner have charge of all *town* funds. There is a *township* treasurer, but he holds nothing except *township* school funds. He is a school officer, and his duties will be discussed in CHAPTER VIII on the public school system.

The town officers are all elected at the annual town meeting.

## SUPERVISORS

**Town Funds.** The supervisor receives and pays out all funds for the expenses of the town, except for road and bridge purposes.

**Lawsuits of the Town.** The supervisor prosecutes suits for the recovery of penalties and forfeitures due

the town. When the supervisor's bond is forfeited, the town clerk prosecutes the suit.

**Account and Settlement.** The supervisor must keep strict account of all sums of money received and paid out for the town, and on the Tuesday preceding the annual town meeting he must make a settlement with the board of town auditors.

**County Board.** All supervisors, except of the towns in Cook County, must attend all meetings of the county board.

**Town Paupers.** The supervisor is overseer of the paupers of the town. It is his duty to furnish them proper relief at the expense of the town or county.

**Statement.** One week before the annual town meeting the supervisor must file with the town clerk a statement showing what sums of money are due the town, and also what sums the town owes. This statement must be copied by the town clerk into the town records and read at the town meeting.

**Term.** Supervisors are elected for two years.

**Assistant Supervisors.** In towns of four thousand inhabitants there must be elected one assistant supervisor, and for every twenty-five hundred inhabitants above four thousand another assistant supervisor is added. These have no authority in town affairs, except as members of the board of health. As members of the county board they have the same powers as the principal supervisor.

#### TOWN CLERK

**Records.** The town clerk has custody of all records, books, and papers of the town.

**Town Meetings.** He records in a book provided for the purpose the proceedings of every town meeting,



including all rules and regulations adopted at such meeting. He also records the acts of the board of the town auditors, and is clerk of highway commissioners.

**Certificates.** If it be voted at any town meeting to raise money for any purpose, the clerk must deliver to the supervisor before the annual meeting of the county board a certificate of his record of such vote.

He must certify to the county clerk, on or before the second Tuesday in August, the amount of taxes to be raised for all town purposes.

**Elections.** He provides at public expense the ballots to be used in the town elections. The form of this ballot is prescribed by law.

**Term.** The town clerk is elected for two years.

#### ASSESSOR

**Value of Property.** It is the duty of the assessor to set a value upon the property of every property holder in his town, and to write such value in a book prepared for the purpose. This book, when the assessments are completed, is delivered to the county clerk. When all the assessor's books in the county have been returned to him, the county clerk ascertains the total valuation put upon the taxable property within the county. From the tax levies made and filed in his office by the various officers who are authorized to levy taxes, he ascertains the total amount to be raised by taxation in his county. By finding the percentage that this amount is of the assessed value of all the property, he obtains what is called the rate per cent of taxation. The assessed value of a man's property multiplied by this rate per cent will give the amount of his tax.

**Supervisor of Assessments.** In counties under township organization of less than 125,000 inhabitants, the county treasurer is *ex officio* supervisor of assessments in his county. He has the same power as an assessor to assess and to make changes or alterations in the assessment of property.

**Board of Review.** In counties in which the treasurer is supervisor of assessments there is a board of review consisting of the chairman of the county board and two citizens of the county appointed by the county judge. They review the assessments made by the supervisor of assessments. They have power to increase, reduce, or otherwise adjust the assessment of any individual or corporation.

Cook County, having over 125,000 inhabitants, has a different system. It has a board of assessors, five in number, who serve six years. They employ a chief clerk and deputy assessors. Each member of the board of assessors receives \$7,000 per annum.

#### COLLECTOR

**Collector.** By a law passed in 1917, the office of collector was abolished and at the expiration of the term of office of the present collectors, who were elected in 1916 for a term of two years, the duties of collector will be performed by the county treasurer.

**Highway Commissioner.** By an act of the state legislature passed in 1917, there will hereafter be elected but one highway commissioner who will perform the duties which have heretofore been performed by three commissioners.

**Treasurer.** The town supervisor is *ex officio* treasurer of the town road and bridge fund. He receives all money collected in the town for road and bridge pur-

poses, and pays it out on the order of the highway commissioner.

**Roads and Bridges.** The commissioner builds, repairs or vacates roads and bridges.

**Tools and Implements.** The commissioner purchases for the use of the town such plows, scrapers, and other implements as may be necessary, and has charge of them at all times.

**Drainage.** The commissioner has charge of road drainage and may contract with the owners of adjoining lands regarding tile drains.

**Other Duties.** It is the duty of the highway commissioner to put up guide boards at the forks and crossings of the most important public roads; also to keep noxious weeds from seeding. He may provide public wells with suitable fixtures at the most important crossings and at other suitable places.

**Road Tax.** The commissioner must annually levy a tax sufficient for all road and bridge purposes for the ensuing year, but this tax cannot exceed the rate of thirty-six cents on one hundred dollars.

**Term.** The highway commissioner is elected for two years.

**Salary.** His salary is four dollars per day for time actually spent on the duties of his office.

#### TOWN BOARDS

**Board of Appointment.** Wherever there is a vacancy in any town office, from any cause, the justices of the peace of the town, together with the supervisor and the town clerk, may choose some one to fill such vacancy for the remainder of the term.

**Board of Town Auditors.** The supervisor, town clerk, and justices of the peace of every town constitute the board of town auditors.

The board meets at the town clerk's office twice each year—on the Tuesday before the annual meeting of the county board, and on the Tuesday before the annual election. At these times they examine the accounts of the supervisor and commissioners of highways of the town, and audit all claims against the town and the salaries of all town officers, except those of supervisors for county services.

**Commissioner of Canada Thistles.** The board of auditors may appoint, when necessary, a commissioner of Canada thistles, whose duty it is to destroy all Canada thistles growing in the town. He is appointed for three years.

**Board of Health.** The supervisors, assessors, and town clerk of every town constitute a board of health. It is their duty to make and enforce, when necessary, such regulations as may tend to check the spreading of contagious diseases in the town.

## JUDICIAL DEPARTMENT

**Officers.** The judicial officers of the town are justices of the peace and constables. There are at least two justices and two constables in every town, and one justice and one constable additional for every one thousand inhabitants above two thousand, until there are five of each.

**Term.** Justices of the peace and constables are elected for four years.

In Chicago justices have been superseded by the judges of the municipal court.

## JUSTICES OF THE PEACE

**Civil Suits.** Justices of the peace have jurisdiction in civil cases in which the amount in dispute does not exceed three hundred dollars.

**Criminal Affairs.** Justices have original jurisdiction in all cases of misdemeanor when the punishment is by fine only, and the fine does not exceed two hundred dollars, and in all cases of assault, and assault and battery.

A misdemeanor is an offense not punishable with death or imprisonment in the penitentiary.

When an offense is punishable with death or imprisonment in the penitentiary, it is a felony.

An assault is an attempt, coupled with present ability, of one person to do a violent injury to another.

Assault and battery is the unlawful beating of another.

**Preliminary Examination.** When a person is suspected or accused of felony, he may be arrested and brought before a justice for a preliminary examination.

If the justice, or the jury summoned by the justice, has just cause to believe him guilty, he is held to bail or sent to jail to await the action of the grand jury.

When a prisoner is held to bail, he procures a sufficient number of responsible persons who will pledge themselves in writing to pay into the public treasury a certain sum of money, if the prisoner, being set free, does not appear in court on a certain day.

After a person has had his preliminary hearing, he must be indicted by the grand jury before he can be brought to trial for a felony.

## CONSTABLES

**Duties.** Constables must keep the public peace by arresting all persons who break the laws in their presence, and must promptly serve the writs issued by the justices and other magistrates. All judges and justices of the peace are also conservators of the peace within their respective jurisdictions.

## QUESTIONS AND TOPICS FOR STUDY

1. When is the annual town meeting held? 2. What is meant by primary election? 3. Name the elective township officers. 4. What powers have justices of the peace? 5. (a) What is a misdemeanor? (b) A felony? 6. (a) Make a copy of the following table. (b) Complete it by supplying the needed information. (c) Preserve for future reference.

OFFICE	LENGTH OF TERM	SALARY	DUTIES	PRESENT INCUMBENT
Supervisor				
Asst. Supervisor				
Town Clerk				
Collector				
Assessor				
Highway Commissioner				
Justices of Peace				
Constable				

## CHAPTER VI

### CITY AND VILLAGE GOVERNMENT

#### LEGISLATIVE DEPARTMENT

**Cities Under Special Charters.** Prior to 1870, cities could obtain from the legislature special charters for their government. These charters gave the cities to which they were granted certain privileges, named and defined the duties of the officers, and were the basis of the city governments. The constitution of 1870 prohibits the granting of such special charters, or the amendment of those already granted.

**Cities Under the General Law.** Since the adoption of the new constitution, all cities have been incorporated under the general law. The governments of cities under special charters often differ from one another very materially, while under the general law all cities are governed in the same manner. The following discussion applies to cities organized under the general law:

**City Council.** The city council consists of the mayor and aldermen.

The mayor has no vote except in case of a tie. He is the presiding officer, rather than a member, of the council.

The aldermen are from six to seventy in number, according to the population of the city, and are elected for two years.

**Wards.** For convenience in electing aldermen, cities are divided by the city council into half as many wards

as there are aldermen, one alderman being elected from each ward annually on the third Tuesday in April. Wards must, as nearly as practicable, have an equal number of inhabitants, and be formed of compact and contiguous territory.

**Meetings.** The council determines the time and place of its regular and special meetings. All meetings are open to the public.

**Powers of City Councils.** The general law defines ninety-six different powers of city councils. The following are among the most important:

**Ordinances.** The council passes ordinances for the government of the city, and fixes such penalties as it may deem necessary, but no fine can exceed two hundred dollars, and no imprisonment can exceed six months for one offense.

**Animals at Large.** The council may prohibit the running at large of animals, including geese and dogs, and may impose a tax on dogs.

**Taxes.** The council has power to levy and collect taxes for general and special purposes.

**Officers.** The council acts upon all appointments of officers made by the mayor, and may confirm or reject them.

**Pay of Aldermen.** The pay of aldermen is fixed by the city council, but must not exceed six dollars to each alderman for each meeting of the council. No other compensation is allowed. In Chicago each alderman receives \$3,000 a year.

## EXECUTIVE DEPARTMENT

**Mayor.** The chief executive officer of a city is the mayor, who is elected for two (in Chicago, four) years.



He presides over the meetings of the city council, and has a vote in case of a tie. He may also veto any ordinance passed by the council. Two-thirds of all the members elected to the city council may pass an ordinance over the mayor's veto. In these respects the mayor's duties pertain rather to the legislative department.

**Appointment of Officers.** The mayor may, with the consent of the council, appoint certain officers. At such times the council exercises executive power.

**Message.** The mayor must present to the city council, at least once a year, a message regarding the affairs of the city, and recommend for their consideration such measures as he may deem expedient.

**Compensation.** The compensation of the mayor and of all the other city officers is fixed by the council, and cannot be changed during the term for which they are elected.

**City Clerk.** A city clerk is elected in every city for two years. He is the custodian of the corporate seal, and of all papers belonging to the city. He must attend the meetings of the city council and keep a record of its proceedings. He must record in a book kept for that purpose all ordinances passed by the council.

**City Treasurer.** This officer is elected for two years and has charge of the city funds. His duties are much the same as those of the county treasurer.

**Assessor and Collector.** Instead of having the city taxes assessed and collected by the same officers and at the same time as other taxes, the city may elect a city assessor and a city collector.

**Other Officers.** By a vote of two-thirds of all the aldermen elected, the city council may provide for the election by the legal voters, or for the appointment by

the mayor, of certain other officers. Among those who, when so appointed or elected, have executive authority, are a city comptroller and a superintendent of streets.

**City Comptroller.** The city comptroller is the special guardian of the funds of the city. He has general supervision over all city officers who handle the city funds, and makes an annual estimate of the amount of money necessary to run each department of the city government for the ensuing year.

**Superintendent of Streets.** This officer has general supervision of the streets.

#### JUDICIAL DEPARTMENT

**City Courts.** In cities having five thousand or more inhabitants, there may be city courts which shall at all times have concurrent jurisdiction with circuit courts, except for the crimes of treason and murder. A judge and a clerk of the city court are elected for four years.

**Police Magistrates.** Police magistrates, having the same jurisdiction as justices of the peace, may be elected in cities and villages for four years.

Justices of the peace have jurisdiction in all matters pertaining to city and village ordinances.

**Corporation Counsel.** There may be elected, or appointed, a corporation counsel, whose relation to the city and its officers is much the same as that of the Attorney-General to the state and state officers. Only large cities have need of such an officer.

**City Attorney.** This officer is appointed by the Mayor with the consent of the council. He prosecutes offenders against the city ordinances, advises the city council and other officers, and conducts the lawsuits of the city.

**City Marshal and Policemen.** The mayor, with the consent of the council, may appoint a city marshal and a sufficient number of policemen. The marshal is at the head of the police force, and has all the powers of a constable. The sheriff of the county, or any other constable, may serve any processes or make any arrests authorized to be made by the city marshal.

The mayor and the members of the city and village councils are conservators of the peace, and may make arrests for violation of ordinances or of any criminal law of the state, with or without warrants.

**Trustees of Villages.** Villages are governed very much the same as cities. In place of the city council there is a board of trustees, six in number, elected for two years. A president of the board is also elected every second year. He has about the same powers as the mayor of a city, and the trustees have powers similar to those of aldermen. The president has a vote only in case of a tie.

The president and board of trustees may appoint a treasurer, one or more street commissioners, a village constable, and a few other officers.

**Elections.** City and village elections are conducted under the Australian system. (See specimen ballot.)

## QUESTIONS AND TOPICS FOR STUDY

1. Do you live in an incorporated village? 2. If you do, make a list of the officers of your village and give the duties of each. 3. Do you live in a city? 4. If so, is it under the general law, special charter, or commission form of government? 5. If your city is under the general law or special law, name the mayor, the aldermen from your ward, the city clerk, and the chief of police. 6. Has your city a city court?

## CHAPTER VII

### COMMISSION FORM OF MUNICIPAL GOVERNMENT

**Organization.**— No other governmental problem of our age presents so many difficulties as does the problem of efficient control of our cities. In seeking a solution of this problem the commission form of government has been evolved. It may be adopted in any city now under the general law which has a population not exceeding 200,000. Upon petition of a number of voters equal to one-tenth of the votes cast for all candidates for mayor or president of the board of trustees at the last preceding election of such officer, an election must be held in any such city or village for the purpose of voting for or against the adoption of the commission form of government for such municipality. If a majority of the votes cast are in favor of the adoption of that form of government, steps must immediately be taken to put the same in operation.

**Officers.** Under this form of government there are elected for a term of four years a mayor and four commissioners. All divisions of the municipality into wards are discontinued and these officers are all nominated and elected at large.

**Nomination and Election.** Preceding every election of mayor and commissioners a primary at large is held at which the official primary ballot contains the names,

in alphabetical order, of all candidates for mayor, and also of all candidates for commissioner. At the head of the list of candidates for mayor is printed, "Vote for one," and at the head of the list of candidates for commissioner is printed, "Vote for four."

At the election following the primary, the official ballot contains as candidates for mayor the names of the two persons who received the highest number of votes for mayor at the primary; and as candidates for commissioner the names of the eight persons (if there be so many) who received the highest number of votes for commissioner at the primary. Any voter, however, can vote for some other person for either mayor or commissioner by writing the name of such other person in the proper blank space on the ballot and making a cross opposite the name in due form. Like the primary ballot, the election ballot contains the direction "Vote for one" for mayor and "Vote for four" for commissioner. The candidate for mayor and the four candidates for commissioner receiving the highest number of votes at the election are duly declared to be elected.

**The Council.** The mayor and the four commissioners constitute the city or village council. Each has a right to vote upon all questions coming before the council, and every member, including the mayor, present at any meeting must vote on every motion, resolution, or ordinance whenever a vote is taken. Every motion, resolution, or ordinance must be reduced to writing and read before a vote is taken, and upon every vote the "yeas" and "nays" must be called and recorded.

The powers of the council are the same as those of similar bodies under the general law. The mayor has no veto, however. Every measure passed by the council must be signed by the mayor, or by two commissioners,

and recorded before it shall be in force. Three members of the council constitute a quorum and three affirmative votes are necessary to pass any motion or measure.

**Executive Department.** The executive powers, authority, and duties in "commission form" cities and villages are distributed among five departments, as follows:

1. Department of public affairs.
2. Department of accounts and finances.
3. Department of public health and safety.
4. Department of streets and public improvements.
5. Department of public property.

The council determines the powers and duties of each department. It also prescribes the powers and duties of officers and employees and assigns them to one or more departments. In addition, the council may make all rules and regulations necessary for the efficient and economical conduct of the business of the municipality.

The mayor is commissioner of public affairs and superintendent of that department. The council designates by a majority vote one commissioner to be commissioner in charge of one of the other departments until every department is provided with a commissioner who acts as superintendent of that department.

**Other Officers.** The council, by majority vote, may elect the following officers: City (or village) clerk, treasurer, attorney, assistant attorney, corporation counsel, library trustees, and a board of local improvements. It may also create, fill, or discontinue offices and employments other than the foregoing, and, by a majority vote of all members, may remove any officer or employee, except such as are within the civil service.

**Salaries.** The mayor and commissioners receive salaries provided by law and classified with reference to

population and the demands of the public service upon their time. All other officers, assistants, and employees receive such salary or compensation as the council may provide.

**Initiative.** Any proposed ordinance may be submitted to the council by petition signed by a certain percentage of legal voters as provided by law. If the proposed ordinance is accompanied by a petition signed by a number of voters equal to 25 per cent of the vote for all candidates for mayor at the last preceding general municipal election, and contains a request that such ordinance be submitted to a vote of the people if not passed by the council, then the council must either pass the ordinance without alteration within 30 days, or call a special election (unless a general election will occur within 90 days) at which such ordinance shall be submitted without alteration to the legal voters of the municipality.

If the petition accompanying the proposed ordinance is signed by not less than 10 per cent nor more than 25 per cent of the legal voters as above stated, then the council must either pass the ordinance without change within 30 days, or submit it at the next general municipal election, if such there be, within 90 days from the filing of the petition; but no special election is called unless the number of voters signing the petition exceeds 25 per cent as stated in the preceding paragraph.

Any number of proposed ordinances may be voted upon at the same election, but not more than one special election for the adoption of ordinances can be held in any period of six months. Two or more proposed ordinances may be submitted separately on the same ballot.

**Referendum.** With the exception of ordinances for the immediate preservation of public peace, health, or safety, and a few others, no ordinance passed by the council

shall go into effect before the expiration of 30 days from the time of its passage. If, during the 30 days, at least 10 per cent of the legal voters sign and present to the council a petition protesting against the passage of the ordinance, it becomes the duty of the council to reconsider such ordinance. If, upon reconsideration, the ordinance is not entirely repealed, it must be submitted to a vote of the people at a general or special election. An ordinance so submitted does not go into effect unless voted for by a majority of those voting upon the ordinance at such election.

**Referendum of Franchises.** Every grant of any franchise, right, or license to occupy or use the streets, alleys, highways, bridges, subways, viaducts, public property, or public places for interurban, suburban, subway, elevated, aerial, or street railways, gas tanks, water works, electric light, power, or heating plants, telegraph or telephone systems, or other public service utilities within the city or village limits, must be authorized or approved by a majority of the legal voters voting thereon at some general or special municipal election.

**Recall of Elective Officers.** Every elective officer, except judges and other court officers, whether elected by a popular vote or appointed to fill a vacancy, is subject to recall and removal at any time by the legal voters qualified to vote for such officer. To institute proceedings for recalling a given officer a petition demanding the election of his successor must be signed and presented to the council by at least 55 per cent of such qualified legal voters, computed upon the basis of the entire vote cast for mayor at the last preceding election. The recall or removal of an officer is thus brought about by the election of a successor before the expiration of the officer's term.



**Abandonment of Commission Form.** At any time after two years' operation under the "commission form," any municipality may abandon the same and return to organization under the general law. For this purpose a petition signed by at least 25 per cent of the legal voters is required. Upon the filing of such petition, the question of abandonment and reorganization must be submitted to the people at the general municipal election.

### QUESTIONS AND TOPICS FOR STUDY

1. How may commission form of city government be secured? 2. (a) What officers are elected? (b) For what length of term? 3. What is meant by referendum? 4. How may an elective officer be recalled? 5. Find out what cities in Illinois have commission form of government. 6. (a) What are its advantages? (b) Its disadvantages? 7. (a) If you live in a city which is under the commission form of government, name your mayor and commissioners. (b) State the powers and duties of each.

## CHAPTER VIII

### PUBLIC SCHOOL SYSTEM

#### ORIGIN

**Ordinance of 1787.** In 1787 Congress passed an ordinance for the government of the territory of the United States northwest of the Ohio River. The third article refers to education in this manner: "Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

**Act of Congress, 1818.** In 1818 Congress passed an act enabling the people of Illinois to form a state constitution. Section six has the following provision: "The section numbered sixteen in every township, and when such section has been sold or otherwise disposed of, other lands equivalent thereto and as contiguous as may be, shall be granted to the state for the use of schools." It is further provided that three per cent of the net proceeds from the sale of public land within the state shall be appropriated by the legislature of the state for the encouragement of learning, and one-sixth of the amount shall be bestowed exclusively upon a college or university.

**State Constitutions.** Neither the Constitution of 1818 nor that of 1848 makes any special mention of education. The Constitution of 1870, on the contrary, has an entire article devoted to the subject, and declares

that "the General Assembly shall provide a thorough and efficient system of free schools, whereby all children of the state may receive a good common school education."

**Laws of the State.** The first law providing for the establishment of free schools was passed in 1825. Many changes have since been made, some of which destroyed for a time the *free* school feature of the system.

### RELATION TO STATE GOVERNMENT

The public school system, though distinct in its purpose, is intimately connected with the government of the state in civil affairs. The General Assembly is the law-making power, and the ordinary courts have jurisdiction in school matters. But there are several executive officers who have to do with school matters only.

With reference to the school system the state is divided into counties, townships, and school districts.

### SCHOOL FUNDS

**State Funds.** The state school fund is made up from three distinct sources.

**Direct Tax.** Prior to 1873 a tax of two mills upon each dollar's valuation of property in the state was levied for school purposes. From 1873 to 1911 the legislature provided for a levy for the state school fund (in lieu of the two-mill tax) of \$1,000,000 annually. The levy for this fund is now \$8,000,000 annually.

**Interest on the School Fund Proper.** The school fund proper consists of three per cent of the proceeds of the sales of public lands in the state, one-sixth part excepted. It is one of the permanent school funds of the state. It is called a permanent fund because no part of the fund

itself, but only the interest upon it, can be expended. The interest on this fund is made a part of the state school fund. The one-sixth part of the proceeds excepted is known as the "college fund."

**Interest on the Surplus Revenue.** In 1836 Congress passed an act depositing with the states, in proportion to their representation in Congress, the money that had accumulated in the national treasury—chiefly from the sale of public lands. Prior to this an unsuccessful attempt had been made to distribute this money among the states as a gift from the nation. The objections to this plan were overcome by depositing the money with the states subject to return at call by Congress. About \$28,000,000 was deposited in this way, and none of it has ever been called for. Illinois received \$477,919.24.

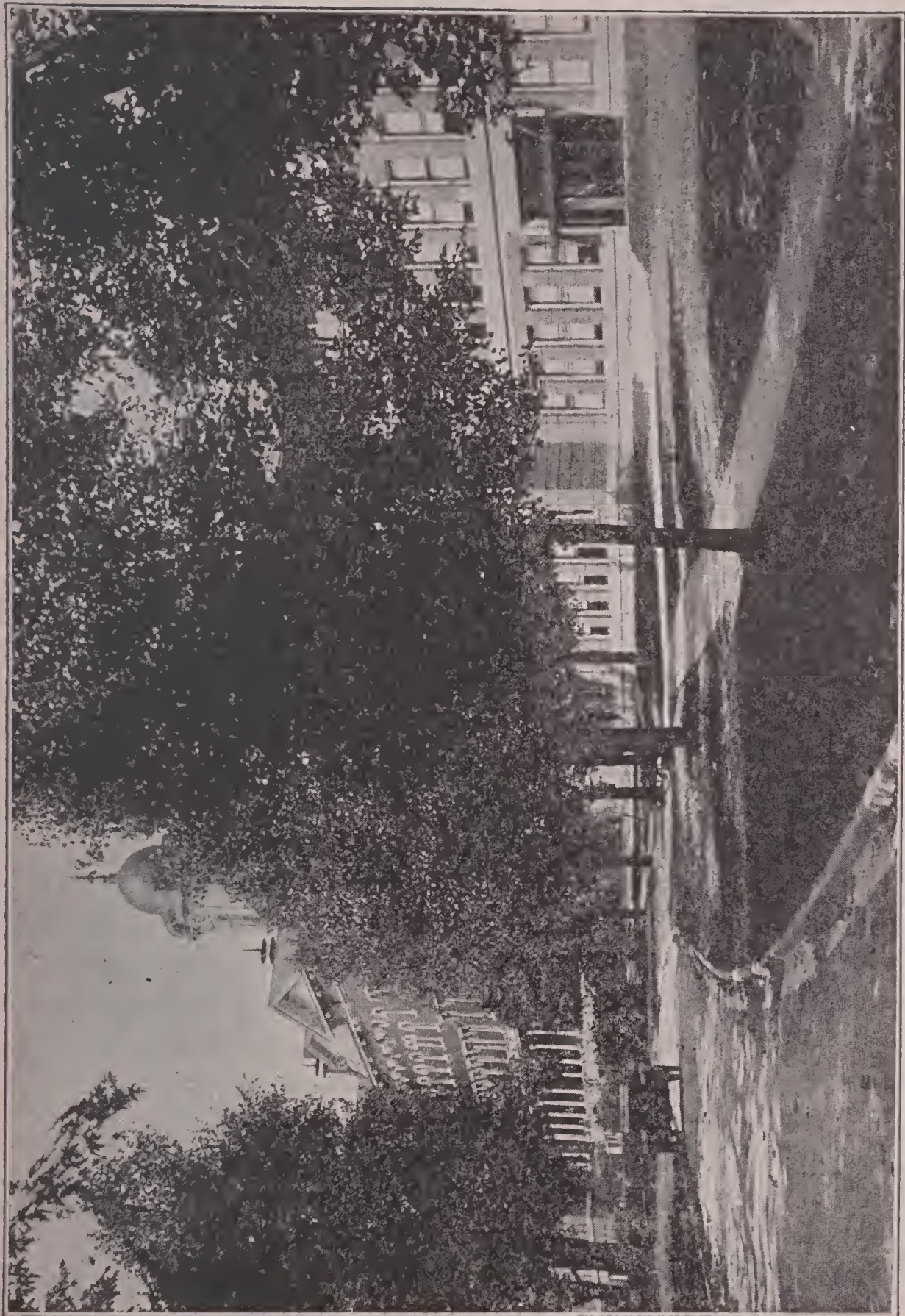
When Illinois received her share, the General Assembly, in 1837, made a large part of it (the "surplus revenue," as it is called) a part of the permanent common school fund. The interest on this is annually distributed among the schools of the state. The interest on the state school fund is paid by the state at the rate of six per cent per annum.

#### STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

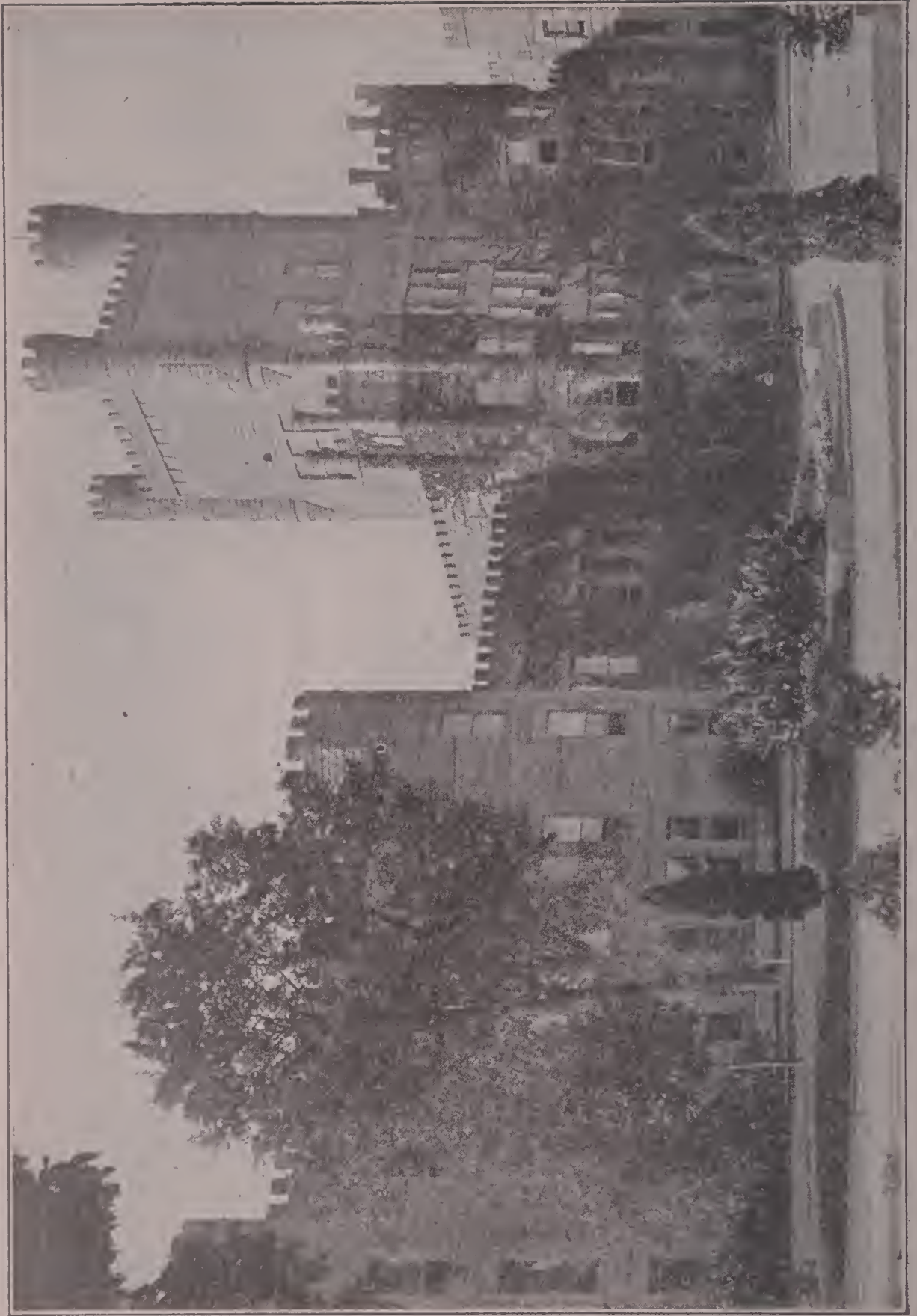
**State Certificates.** The State Superintendent grants state certificates of the first, second, and third grade to such persons as may be qualified to receive them, and may suspend or revoke any such certificate for incompetency, immorality, or other unprofessional conduct.

**Appeals.** He hears and determines all controversies arising under the school laws of the state coming to him by appeal from a county superintendent of schools.

**Counsel with Teachers.** He is to counsel and advise



ILLINOIS STATE NORMAL UNIVERSITY, NORMAL



EASTERN ILLINOIS STATE NORMAL SCHOOL, CHARLESTON

with experienced and practical school teachers as to the best manner of conducting common schools.

**Supervision.** He has the supervision of all the common schools in the state.

**Advisory Duties.** He is the general advisor and assistant of county superintendents of schools, and from time to time addresses circular letters to them relating to school matters. He is the legal advisor of all school officers, and when requested by any such officers, gives his opinion in writing upon any question arising under the school law of the state.

**Report.** The State Superintendent reports biennially to the Governor, giving the condition of the schools of the state; the number of schools in each county; certain facts regarding the number of male and female teachers; the number of pupils in attendance at school; the number of persons in each county under twenty-one years of age, and the number of persons between the ages of twelve and twenty-one who can not read and write; the amount of county and township funds, and the amount of state, county, and township funds annually paid out; the amount raised by taxation; the whole amount annually expended for schools; the number of schoolhouses, and their kind and condition; the number of whole and fractional townships in each county; facts about apparatus and school libraries; and other facts relating to schools. He is also to give suggestions regarding changes in the school law. This report is laid before the General Assembly at its regular session, and is printed for free distribution.

**Funds Withheld.** The State Superintendent has power to cause funds to be withheld from any school officer or teacher who has not complied with all the requirements of the law.

**Bond.** The State Superintendent must give a bond for \$25,000.

**Salary.** He receives a salary of \$7,500 a year.

#### COUNTY SUPERINTENDENT OF SCHOOLS

**Election.** The County Superintendent of Schools is elected in the "off year" (even years not divisible by four) at the general November election for a term of four years.

**Accounts.** He must keep an account of all sales of common school lands in his county, and of all sums of money received, loaned, or paid out.

**Report to County Board.** He must present a written report to the county board at its regular meeting in September, giving all sums of money in his charge since his last report, together with a statement of the condition of the county and township funds in his charge.

**Township Treasurers.** The county superintendent must examine all bonds given by township treasurers, and approve them or return them for correction. When they have been approved, he must hand over to the treasurers all sums of money, and all bonds, notes, and other securities and papers belonging to their respective townships.

**Apportionment.** He must apportion among the townships in which schools have been legally conducted, the money received upon the auditor's warrant from the state fund, together with the interest on the county fund, if there be one. He must see that every treasurer's bond is valid before paying him the sum apportioned for his township. In case the directors of any district have not made their annual report, he withholds their share.

**Report to State Superintendent.** He must report to the State Superintendent such facts as the latter may



require to assist him in making up his report to the Governor.

**Advisory Duties.** In controversies arising under the school law, the opinion and advice of the county superintendent must first be sought, but appeal may be taken to the State Superintendent. The county superintendent stands in much the same relation to the school officers and teachers of the county as the State Superintendent stands to those of the whole state.

**Treasurers' Accounts.** The county superintendent must examine annually all accounts, books, and vouchers of every township treasurer in his county, and report to the school trustees any irregularities he may find. He must also examine all bonds, notes, and other securities for school funds held by every treasurer, and see that they are of proper form and have sufficient security.

**Teachers' Associations.** He must encourage the formation, and assist in the management of county teachers' associations.

**Examinations.** He must hold examinations for teachers' certificates at least three times each year upon questions furnished by the state examining board.

**Fee for Certificate.** The county superintendent must in all cases require the payment of a fee of one dollar from every applicant for examination for a teachers' certificate, and for each renewal of a certificate. He must pay the money received in this way to the county treasurer, and give him also a list of the names of persons paying the fees. The county treasurer keeps account of such fees as a part of what is known as the "institute fund."

**Teachers' Institutes.** The county superintendent must hold, annually, a teachers' institute, which must

continue in session at least five days. Two or more adjoining counties may hold an institute together.

Instruction is free at such institutes to persons holding certificates good in the county, or counties, for which the institute is held, and also to those who have paid the required fee and failed to receive certificates. All other persons must pay a registration fee of one dollar. The registration fees are added to the institute fund, which is held subject to the order of the county superintendent, and is used only to defray the expenses of teachers' institutes.

**Institutes During Term Time.** The time not exceeding five days in any one year, actually spent by a teacher of any public school in the state in attendance upon a teacher's institute, under the direction of the county superintendent, is considered time lawfully expended by the teacher in the service of his district, and no deduction of wages can be made for absences. Directors must allow teachers to close their schools for such attendance upon these institutes.

**Visiting Schools.** Prior to 1885, the county superintendent visited schools only when directed to do so by the county board, or, in other words, the county board could pay him for visiting schools, or not, just as it pleased. As a rule, few superintendents visited schools more than a few days each year.

Under the present law the county superintendent must visit every school in his county at least once a year. He is to spend at least one-half of the time given to his office in visiting ungraded schools.

**Revocation.** The county superintendent may suspend or revoke any teachers' certificate issued by him upon evidence of immorality, incompetency, unprofessional conduct, or other just cause. Refusal to attend or par-

ticipate in, or indifference or antagonism toward institutes, teachers' meetings, professional readings, or other reasonable requirements of the county or state superintendents, may be considered unprofessional conduct.

**General Duties.** The county superintendent gives to teachers and school officers such directions in the science, art, and methods of teaching, and in regard to courses of study as he may deem expedient. He acts as the official adviser and constant assistant of the school officers and teachers of his county and carries out the advice of the state superintendent. It is the duty of the county superintendent to labor in every practicable way to elevate the standard of teaching and improve the condition of the public schools. He determines, upon appeal from school trustees, matters concerning district boundaries.

**Bond.** The county superintendent gives a bond for a sum not less than \$12,000, to be increased at the discretion of the county board, by whom it must be approved.

**Compensation.** County superintendents receive annual salaries depending upon the population of the respective counties.

#### BOARD FOR VOCATIONAL EDUCATION

The State Superintendent, the Director of Registration and Education, the Director of Agriculture, the Director of Labor, and the Director of Trade and Commerce constitute the Board for Vocational Education to coöperate with the Federal Government in the administration of the Federal Vocational Education Law.

#### EXAMINING BOARD

**Members.** This board consists of the State Superintendent of Public Instruction, who is *ex officio* chairman, one person engaged in educational work appointed by the State Superintendent for four years, and three county

superintendents, each to serve three years. One of the county superintendents is appointed annually by the State Superintendent upon the recommendation of the county superintendents' section of the state teachers' association at its annual meeting.

**Examinations.** The Examining Board causes examinations for county teachers' certificates to be held at least three times each year under such rules as the board may prescribe. Questions for each examination must be uniform throughout the state and are prepared by the Examining Board and sent to county superintendents under seal. The seal in each case is broken by the county superintendent only at the time of opening the examination and in the presence of the applicants. The county superintendent conducts the examination in his county and forwards all papers to the Examining Board.

The grades are then returned to the county superintendent, who issues certificates of proper grade to such applicants as have passed the examination; provided, in each case, that he deems the personality of the applicant and his or her general qualifications other than scholarship, to fit such person for the work to be performed under the certificate sought. Seven different grades or kinds of certificates may be issued by county superintendents upon such examinations or otherwise as provided by law.

**Expenses.** The members of the Examining Board receive their necessary traveling or other expenses incurred in connection with their duties as members of the board.

### TRUSTEES OF SCHOOLS

**Election.** The business of the school township is done by three trustees, one of whom is elected on the

second Saturday in April, annually. In cases where the boundaries of the school township coincide and are identical with the boundaries of the town, as established under the township organization laws, the election for school trustees is held at the same time as the annual town meeting. This is on the first Tuesday in April.

**Term.** School trustees are elected for three years.

**Meetings.** The trustees hold regular semi-annual meetings on the first Monday of April and October, and such special meetings as may be necessary.

**Appointment of Township Treasurer.** The board of trustees appoint one of their number president, and some resident of the town, who is neither a trustee nor a school director, township treasurer.

**Division of Township into Districts.** The board of trustees divide their township into a suitable number of districts for the convenience of a majority of its inhabitants. After districts have been formed, they may be changed by the trustees so as to divide or consolidate districts, to make a new district out of territory belonging to two or more districts, or to take territory from one district and add it to another. In such cases the trustees can act only upon the petition of a majority of the legal voters of each district affected, or of two-thirds of the voters in a certain territory when such territory is to be added to another district, or made into a separate district. In the latter case the territory must contain at least ten families.

**Distribution of Funds.** At the regular semi-annual meetings the trustees ascertain the amount of state, county, and township funds on hand and subject to distribution, and apportion it among the districts conducting schools according to law, in proportion to the number of persons under twenty-one years of age in

each. The amount apportioned to each district is placed to its credit on the treasurer's books, and is paid out upon the orders of the directors of the district.

The township fund consists mainly of the proceeds of the sale of the sixteenth section, and the interest thereon. The interest only is apportioned to the districts. The principal must forever be loaned for the use of the township.

**Examination of Accounts.** At their semi-annual meetings, and at other times if they think proper, the board examines all books, notes, mortgages, and other papers belonging to the township, and sees that the funds are properly managed.

**Township High Schools.** The voters of the township may elect to establish a township high school for the education of the more advanced pupils. In this case a township board of education of five members has charge of the school in all respects the same as directors in the case of district schools.

**Compensation.** The trustees of schools give no bonds and receive no compensation for their services. In counties under township organization they are exempted from road labor and military duty.

## TOWNSHIP TREASURER .

**Clerk of Board of Trustees.** The township treasurer is clerk of the board of trustees of his township. He keeps a record of all the official proceedings of the board.

**Report to County Superintendent.** As clerk of the board of trustees, he reports to the county superintendent such facts as the latter must report to the State Superintendent.

**Care of Funds.** The township treasurer is custodian

of the school money of the township and the several districts. It is his duty to keep the school funds at interest.

**Semi-Annual Statement.** At each regular meeting of the trustees he must present to them a full statement of the affairs of the township, and lay before them all papers pertaining to his office.

**Annual Exhibit.** He must annually make out a complete statement of the sums of money received, paid out, and on hand, with reference to the township and each school district, and present it to the trustees at their first meeting after the annual election.

**Statement to Districts.** Twice each year the township treasurer must make out a statement for each district, giving an itemized statement of receipts and expenditures since the last report, and showing the sum of money to which the district is entitled at the time of the statement. This statement must be sworn to by the treasurer and delivered to the clerk of the board of directors for the district.

**Statement to County Superintendent.** The township treasurer must make an annual statement, under oath, to the county superintendent, showing the exact condition of the township funds.

**Term.** The township treasurer is appointed for two years.

**Bond.** He gives a bond sufficient to cover all liabilities incurred.

**Compensation.** The compensation of the township treasurer is fixed by the board of trustees prior to his appointment.

## SCHOOL DIRECTORS

**Election.** Each school district of less than 1,000 inhabitants has three directors, one being elected an-

nually on the third Saturday in April at the district election. Election notices must be posted at least ten days before the election, stating the place of holding the election, the time of opening and closing the polls, and the questions to be voted upon. The question of building a schoolhouse, moving one already built, extending school beyond nine months, and some other questions may be voted upon, if due notice has been given.

**Organization.** Within ten days after the annual election, the directors meet and organize by appointing one of their number president and another clerk. The president presides at the meeting, and executes the orders of the board.

**Record.** The clerk must keep a record of all the proceedings of the board in a book provided for the purpose, and must submit the records to the inspection of the township treasurer on the first Monday of April and of October.

**Reports.** The clerk must report to the township treasurer on or before the seventh day of July, annually, such facts as the treasurer is required to report to the county superintendent.

**Statement to Voters.** The directors must present to the voters of the district at the annual election a detailed statement of their receipts and expenditures, and a copy of this statement must be furnished the township treasurer within five days of the time of the election.

**Meetings.** The directors must have regular meetings at such times as they may designate, and may hold special meetings when necessary. No business can be legally transacted except at a regular or special meeting.

**Power to Levy Tax.** The directors may levy a tax not to exceed 2 per cent for educational, and  $\frac{3}{4}$ 1 per cent



for building purposes, upon all the taxable property of the district. In districts containing not less than 1,000 nor more than 100,000 inhabitants and operating under the general school law, the tax for educational purposes may be as high as  $2\frac{1}{2}$  per cent when authorized by a vote of the district, but the total school tax must not exceed 4 per cent.

The directors ascertain as nearly as they can the amount of money necessary to be raised by taxation in their district, and certify to the township treasurer on or before the first Tuesday in August, annually, that such an amount is needed. The directors first determine how much money will be needed for all purposes for the next year, and knowing from the treasurer's statement the amount of state, county, and township funds due their district by apportionment, they are enabled to determine the amount necessary to be raised by special tax.

**School Year.** The directors establish and keep in operation for at least seven months in each year, and longer if practicable, a sufficient number of free schools for the accommodation of all children in the district over the age of six, and under the age of twenty-one years. Unless the school is conducted at least seven months, the district cannot receive any of the state fund apportionment.

**Rules for the School.** The directors must adopt and enforce necessary rules and regulations for the proper management and government of the schools.

**Visiting Schools.** The directors must visit the schools from time to time as the good of the schools may require.

**Employment of Teachers.** The directors employ teachers, fix their salaries, and may dismiss them for incompetency, cruelty, negligence, immorality, or other sufficient cause. Directors cannot legally employ a

teacher unless he has a certificate from the county superintendent good for the whole time for which he is employed.

**Branches of Study.** They must direct what branches of study shall be taught, and what textbooks and apparatus shall be used. They must enforce strict uniformity of textbooks, but a change of textbooks cannot be made oftener than once in four years in any given study.

**Schedules.** The directors must examine the schedules presented by the teacher and certify to their correctness if no mistakes be found in them. They must then give the teacher an order upon the township treasurer for his pay. The schedules must be delivered by the directors to the township treasurer on or before the seventh of July annually.

**Compulsory Attendance.** Every person having control of any child between the ages of seven and sixteen years, shall annually cause such child to attend some public or private school for the entire time it is in session—which shall not be less than six months of actual teaching. Neglect of such duty renders persons having charge of such child subject to a fine of not less than \$5 nor more than \$20.

School boards and directors must appoint one or more truant officers to report to them in writing all violations of this law and to enter complaint against all persons who are guilty of such violations. These officers may also arrest truant children and place them in charge of the proper teacher.

**Transfer of Pupils.** Pupils may be transferred from one district to another upon the written permission of the boards of directors of both districts. Such permits must be filed with the township treasurer.

**High School Privileges.** By a law passed in 1917, all of the territory in each county not included in some

high school district shall constitute a district which selects a board of education whose duty it is to levy upon such territory a tax from which is paid the tuition of pupils from this territory who are graduates of the eighth grade and who desire to attend some neighboring high school.

**Compensation.** Directors give no bond and receive no compensation for their services. The directors may allow their clerk compensation for work actually performed. In counties under township organization, directors are exempt from road labor and military duty.

#### BOARDS OF EDUCATION

**Members.** In each school district having not less than one thousand, nor more than one hundred thousand inhabitants, a board of education is elected. This board consists of six members and a president, who has no vote except in case of a tie. Three additional members are elected for every additional ten thousand inhabitants, but no board can have more than fifteen members. In each city of more than one hundred thousand inhabitants, a board of education, consisting of eleven members, is appointed by the mayor with the consent of the city council. Prior to 1870 many cities obtained special charters for the government of their schools, and so form exceptions to the above provisions of the general law.

#### CITIZENSHIP

**Good Citizenship.** Realizing the importance of good citizenship, the legislature, in 1905, added Civics and the History of Illinois to the list of common school studies. It is now the duty of all public schools not only to teach the fundamental principles and practical workings of our national, state, and local government, but also to instill

a healthy and justifiable state and local pride together with correct ideas concerning the rights and duties of citizenship. This duty so laid upon the public schools by law is emphasized by the law of 1913 granting greatly enlarged voting rights to women. Our boys and our girls as well must be trained to participate wisely in primaries and in elections so that men of character and intelligence may be selected to make, to administer, and to adjudicate our laws. They must be taught to make political parties servants—not masters.

**Duties of Voters.** It is the duty of every person to whom the ballot is given in connection with any public affair, question, or office to exercise this right, intelligently and honestly, on every practicable occasion; to investigate carefully and with an open mind all questions, policies, or platforms to be voted upon; and to determine, so far as possible, the character and fitness of all candidates for office.

**Duties of All Citizens.** In return for the individual rights which are not only granted by our government but protected and even enforced by it, all persons, whether voters or not, should discharge promptly and honestly all their debts or other obligations, both to the public and to all individuals; they should not attempt to defeat justice nor to interfere in any way or degree with the religious beliefs of others; they should in all cases have due regard for other people's property as well as for the persons of others; they should allow to all others that complete freedom of speech which they themselves desire, and should refrain from all sayings that slander or unjustly injure others; they should respond cheerfully when summoned as jurors and willingly as witnesses by whomsoever called; and finally, they should faithfully assist both state and nation in every way.

**Rights of the Citizen.** The relation of the citizen to the state and of the state to the citizen are reciprocal. The citizen who performs his duties and fulfills his obligations to the state is entitled as of right to the full benefits and protection of his government. He should at all times demand of those who are chosen to administer the government in its various functions that they do so faithfully, efficiently, economically, and without fear or favor. To the just pride which a citizen should have in the government of his country, there may well be added a feeling of personal pride, or at least of congratulation, that he is an integral part of that government although he may hold no office whatsoever; for in the United States of America all the benefits of government originate in the people themselves, and from the people all the power of government is derived.

#### QUESTIONS AND TOPICS FOR STUDY

1. When were our free schools first established?
2. What are the sources of our school funds in Illinois?
3. (a) What officer is at the head of the public school system of the state? (b) State three of his duties.
4. How are teachers' county certificates obtained?
5. Are the trustees of schools in your township elected at same time as your town officers?
6. (a) What are the duties of the county superintendent? (b) For what length of term elected? (c) Upon what does his salary depend?
7. What are the provisions of the high school attendance law passed in 1913?

## CHAPTER IX

### <sup>1</sup> THE CIVIL ADMINISTRATIVE CODE OF ILLINOIS

Prior to July 1, 1917, the different institutions, properties, and statutes of the state were administered by many boards and appointive officers; but by an act passed in March, 1917, effective July 1, 1917, these different properties, institutions, and interests were placed under the control of nine departments, each of the departments under a director, and each of the departments having in addition several other officers. All directors of departments as well as the other officers of the several departments are appointed by the Governor with the approval of the Senate. Each officer under this act unless otherwise specifically provided, holds office for a term of four years from the second Monday in January next after the election of a Governor and until his successor qualifies. These departments are as follows:

**The Department of Finance**, whose head is the Director of Finance, salary \$7,000 per year. Other officers of this department are:

Assistant Director of Finance, salary \$4,800 per year.

Administrative Auditor, salary \$4,800 per year.

Superintendent of Budget, salary \$3,600 per year.

Superintendent of Department Reports, salary \$3,600 per year.

---

<sup>1</sup> For the complete code, see Appendix.

The Department of Finance shall have power:

1. To prescribe and require a uniform system of book-keeping, accounting, and reporting for the several departments.
2. To prescribe forms for accounts and financial reports and statements for the several departments.
3. To supervise and examine the accounts and expenditures of the several departments.
4. To prescribe uniform rules governing specifications for purchasing supplies and to examine and approve or disapprove, vouchers, bills, and claims of the several departments.
5. To prepare and submit to the Governor, biennially, a state budget.

**Department of Agriculture**, under the direction of the Director of Agriculture, salary \$7,000 per year.

The Assistant Director of Agriculture, salary \$3,600.

The General Manager of the State Fair, salary \$3,600.

The Superintendent of Foods and Dairies, salary \$4,800.

The Superintendent of Animal Industry, salary \$3,600.

The Superintendent of Plant Industry, salary \$3,600.

The Chief Veterinarian, salary \$4,200.

The Chief Game and Fish Warden, salary \$3,600.

Two food standard officers, salary \$450 each.

The duties of this department include:

1. The powers formerly invested in the Board of Live Stock Commissioners.
2. In the State Veterinarian.
3. In the State Inspector of Apiaries.
4. In the State Game and Fish Commissioners.
5. In the State Food Commissioners.
6. In the State Entomologist.

7. In the State Board of Agriculture.
8. To have the power to encourage all agricultural, live stock, and dairy pursuits.
9. To be the custodian of the state fair grounds, buildings, and other property.
10. To hold annually a state fair.
11. To encourage and promote farmers' institutes, horticultural and agricultural societies, the holding of fairs, fat-stock shows or other exhibits of the products of agriculture.
12. To see that live stock at stockyards, breweries, distilleries, and other like places are properly cared for.

The Department of Labor, under the direction of the Director of Labor, salary \$7,000 per year. Associated with him are the following:

The Assistant Director of Labor, salary \$4,000.

Chief Factory Inspector, salary \$4,000.

Superintendent of Free Employment Offices, salary \$3,000.

Chief Inspector of Private Employment Agencies, salary \$4,000.

An Industrial Commission which consists of five officers, designated industrial officers, salary of each, including that of the chairman, \$5,000.

The duties of the Department of Labor are:

1. To exercise the rights, powers, and duties vested by law in the commissioners of labor.
2. To exercise the duties vested by law in the superintendents and assistant superintendents of free employment offices.
3. The duties vested by law in the Chief Factory Inspector and his assistants.



4. The powers and duties vested by law in the State Board of Arbitration and Conciliation.
5. The powers and duties vested by law in the State Industrial Board.
6. To foster, promote, and develop the welfare of wage earners.
7. To improve working conditions.
8. To advance opportunities for profitable employment.

**The Department of Mines and Minerals** under the direction of the Director of Mines and Minerals, salary \$7,000 per year. Other officers of this department are:

The Assistant Director of Mines and Minerals, salary \$3,000.

The Mining Board, which consists of four officers designated as mine officers and the director of the department of mines and minerals, salary of each officer \$500.

The Miners' Examining Board, which consists of four officers designated miners' examining officers, salary of each officer \$1,800.

The duties and powers of this department include:

1. To exercise the rights, powers, and duties vested by law in the State Mining Board.
2. To exercise the rights, powers, and duties vested by law in the state mine inspectors.
3. To exercise the rights of the miners' examining commission.
4. To exercise the rights of the mine fire fighting and rescue commission.
5. To acquire and diffuse information concerning the nature, causes, and prevention of mine accidents.

The Department of Public Works and Buildings under the direction of the Director of Public Works and Buildings, at a salary of \$7,000 a year. His assistants are as follows:

The Assistant Director of Public Works and Buildings, salary \$5,000.

The Superintendent of Highways, salary \$6,000.

The Supervising Architect, salary \$5,000.

The Supervising Engineer, salary \$5,000.

The Superintendent of Waterways, salary \$5,000.

The Superintendent of Printing, salary \$5,000.

The Superintendent of Purchases and Supplies, salary \$5,000.

The Superintendent of Parks, salary \$2,500.

The duties and powers of this department include:

1. The care and construction of public highways.
2. The care of the canal properties of the state.
3. The care and oversight of the rivers and lakes of the state, including waterways.
4. The care and oversight of the parks of the state.
5. The care and oversight of the special state properties, such as Fort Massac, Lincoln Homestead, and the Lincoln monument and grounds.
6. To purchase and supply all fuel, light, water and office supplies needed by the several departments.
7. To procure and supply all furniture, including general office supplies and equipment.
8. To procure and supply all clothing, instruments, and apparatus, for the charitable, penal, and reformatory institutions.
9. To prepare or cause to be prepared, plans and estimates for the public buildings to be erected for any department.

10. To have general supervision over the erection and construction of these buildings.
11. To suggest plans for the development of grounds and buildings.
12. To erect and maintain all public monuments and memorials erected by the state, unless otherwise provided for by law.
13. The board of art advisors shall advise relative to the artistic character of buildings, works, and monuments, now or hereafter constructed, or to any work of a permanent character intended for decoration or commemoration.

The Department of Public Welfare administered by the Director of the Department of Public Welfare, salary \$7,000 per year.

The Assistant Director of Public Welfare, salary \$4,000.

The Alienist, salary \$5,000.

The Criminologist, salary \$5,000.

The Fiscal Supervisor, salary \$5,000.

The Superintendent of Charities, salary \$5,000.

The Superintendent of Prisons, salary \$6,000.

The Superintendent of Pardons and Paroles, salary \$6,000.

The powers and duties of this department are:

1. To exercise the rights, powers, and duties formerly vested by law in the board of administration.
2. To exercise the powers and duties vested by law in the commissioners, wardens, deputy wardens, of the state penitentiaries at Joliet and Chester, and of the state reformatory at Pontiac.
3. To exercise the powers and duties vested by law in the board of prison industries of Illinois.

4. To investigate into the condition and management of the whole system of charitable, penal, and reformatory institutions of the state, including state hospitals, penitentiaries, reformatories, jails, and almshouses.

**The Department of Public Health**, whose chief officer is the Director of Public Health, salary \$7,000. Other officers are:

Assistant Director of Public Health, salary \$4,200.

Superintendent of Lodging House Inspection, salary \$4,000.

**The Department of Public Health shall have power:**

1. To exercise the rights, powers, and duties vested by law in the State Board of Health, its secretary and executive officer, and other officers and employees, except the rights, powers, and duties vested by law in the State Board of Health under the act to regulate the practice of medicine, and the act to regulate the practice of embalming.
2. To have general supervision of the interests of the health and lives of the people of the state.
3. To make such sanitary investigations as it may, from time to time, deem necessary for the preservation and improvement of public health.
4. To supervise, aid, direct, and assist local health authorities or agencies in the administration of the health laws.
5. To inspect from time to time all hospitals, sanitarium, and other institutions conducted by county, city, village or township authorities, and to report their sanitary condition and needs.

**The Department of Trade and Commerce**, whose chief officer is the Director of Trade and Commerce, salary \$7,000. Other officers are:

The Assistant Director of Trade and Commerce, salary \$5,000.

The Superintendent of Insurance, salary \$5,000.

The Fire Marshal, salary \$4,000.

The Superintendent of Standards, salary \$2,500.

Chief Grain Inspector, salary \$5,000.

The Illinois Commerce Commission, consisting of seven members appointed by the Governor at a salary of \$7,000, per year, succeeds the Public Utility Commission in the regulation of public utilities of this State.

Some of the powers of this department are:

1. To exercise all the rights, powers, and duties formerly vested by law in the State Public Utilities Commission, its officers and employees, the powers vested by law in the Insurance Superintendent, the powers vested by law in the Chief Inspector of Grain and his assistants, the powers and duties vested by law in the State Fire Marshal, his deputies and other assistants.

**The Department of Registration and Education**, whose chief officer is the Director of Registration and Education, salary \$7,000. Other officers are:

The Assistant Director of Registration and Education, salary \$3,600.

The Superintendent of Registration, salary \$4,200.

The Normal School Board, which consists of nine officers, together with the director of the department and the Superintendent of Public Instruction.

Some of the duties of this department are:

1. To exercise the powers and duties vested by law in the Board of Education of the State of Illinois, and the boards of trustees of the several normal schools.
2. To exercise the rights, powers, and duties of the following boards of examiners: veterinary examiner, examiners of horseshoers, examiners of architects, examiners of structural engineers, examiners of physicians and midwives, examiners of embalmers, of pharmacists, of dentists, of nurses, of optometrists, and of barbers.
3. To have power to make a natural history survey of the state and to investigate all insects dangerous or injurious to agricultural or horticultural plants and crops.
4. **The Normal School Board**, of which the Director of Registration and Education shall be chairman and *ex officio* member, and of which the Superintendent of Public Instruction shall *ex officio* be a member and shall be secretary, shall have power and it shall be its duty, independently of the supervision, direction or control of the director or any other officer of the Department of Registration and Education: To have general charge of the normal schools of the state, employing presidents, professors, teachers, instructors, and prescribing courses of study, textbooks to be used, etc.

Advisory and non-executive boards in the respective departments are created as follows:

In the Department of Agriculture:

A board of agricultural advisors, composed of fifteen persons, and a board of state fair ad-

visors consisting of nine persons; not more than three of whom shall be appointed from any one county.

In the Department of Labor:

A board of Illinois free employment office advisors, composed of five persons.

A board of local Illinois free employment office advisors, for each free employment office, composed of five persons on each local board.

In the Department of Public Works:

A board of art advisors, composed of eight persons.

A board of water resource advisors, composed of five persons.

A board of highway advisors, composed of five persons.

A board of parks and buildings advisors, composed of five persons.

In the Department of Public Welfare:

A board of public welfare commissioners, composed of five persons.

In the Department of Registration and Education:

A board of natural resources and conservation advisors, composed of eight persons.

A board of state museum advisors, composed of five persons.

The members of each of the above named boards shall be officers.

No member of the advisory and non-executive board shall receive any compensation.

Each officer whose office is created by this Act, except as otherwise specifically provided for in this Act, shall hold office for a term of four years from the second Mon-

day in January next after the election of a Governor, and until his successor is appointed and qualified.

Each officer whose office is created by this Act shall, before entering upon the duties of his office, take and subscribe the constitutional oath of office, which shall be filed in the office of the Secretary of State.

Each department shall maintain a central office in the capitol building at Springfield, in rooms provided by the Secretary of State. The director of each department may, in his discretion and with the approval of the Governor, establish and maintain, at places other than the seat of government, branch offices for the conduct of any one or more functions of his department.

---

#### TAX COMMISSION

This commission which is appointed by the governor consists of five commissioners at a salary of \$6,000 a year each, and a statistician at \$4,000 a year. The term of the commissioners is six years, one commissioner to be appointed every two years. The Director of Finance is to be the secretary and executive officer of the Tax Commission in its clerical and administrative functions, but the Tax Commission is to perform the duties in the assessment of property for taxation without any control by the Director of Finance.

In 1921 the Tax Commission was made a division of the Department of Finance, and the commissioners and the statistician became officials of the department.



## CHAPTER X

### MISCELLANEOUS

#### STATE EDUCATIONAL INSTITUTIONS

The state has made provision for the professional training of teachers for the schools of the state by establishing and liberally supporting five state normal schools located as follows: Illinois State Normal University, Normal; Southern Illinois Normal University, Carbondale; Eastern Illinois State Teachers' College, Charleston; Western Illinois State Teachers' College, Macomb; and Northern Illinois State Teachers' College, DeKalb. These normal schools were formerly governed by separate boards but are now under the control of one board consisting of nine members and the Director of the Department of Registration and Education, and the State Superintendent of Public Instruction.

The University of Illinois, supported by the state, is located at Urbana. It is controlled by a board of trustees elected by the voters of the state.

#### ILLINOIS FARMERS' INSTITUTES

Farmers' institutes are encouraged by the state by contributions to their support.

#### STATE CHARITABLE INSTITUTIONS

The state charitable institutions were formerly under the control of the board of administration but they are

now managed and controlled by the Department of Public Welfare. These institutions include ten hospitals for the insane located at the following places: Alton, Elgin, Kankakee, Jacksonville, Anna, Watertown, Peoria, Chester, Chicago, and Joliet. Those at Chester and Joliet are for insane criminals. The same department controls the school for the deaf and dumb at Jacksonville, the one for the blind at Jacksonville, and the one for the feeble-minded children at Lincoln.

It also controls the Eye and Ear Infirmary, Chicago; the Soldiers' Orphans' Home, Normal; Soldiers' and Sailors' Home, Quincy; Soldiers' Widows' Home of Illinois, Wilmington; Illinois Industrial Home for the Blind, Chicago; State Training School for Girls, Geneva; and St. Charles School for Boys, St. Charles.

Provision has been made for a State Colony for Epileptics and an Illinois Surgical Institute for Children.

#### STATE PENAL AND REFORMATORY INSTITUTIONS

These institutions are also under the control of the Department of Public Welfare and they include the Illinois State Penitentiary located at Joliet, Will County; the Southern Illinois Penitentiary located at Chester, Randolph County; and the Illinois State Reformatory, formerly known as the State Reform School, located at Pontiac, Livingston County. The latter is for the confinement, education, and reformation of boys between the ages of ten and sixteen years, who have been convicted of crimes which, if committed by an adult, would be punishable with imprisonment in the county jail or the penitentiary. Male criminals between the ages of sixteen and twenty-one years, who have not before been sentenced to

a penitentiary, may also be sentenced to the reformatory instead of a penitentiary, at the direction of the court.

Persons are not sentenced to the reformatory for any definite time, and the board of managers may terminate the sentence at any time. Unless the sentence is sooner terminated by the managers, it will expire with the maximum time fixed by law for the given crime. The managers have power to release prisoners on parole during good behavior.

### THE STATE MILITIA

**Citizen Soldiers.** The militia, or, as it is sometimes called, the citizen soldiery of the state, consists of all able-bodied men residing within the state, who are between the ages of eighteen and forty-five. Certain persons, however, are exempted from military duty by the laws of the United States or of this state. While all the able-bodied men, with few exceptions, are liable to be called upon to bear arms, only those who have voluntarily formed themselves into organized companies and regiments are called out by the Governor so long as these are sufficient in number.

All officers of the militia are commissioned by the Governor. The Governor himself is Commander in Chief.

**Adjutant General.** The chief officer of the militia, next to the Commander in Chief, is the Adjutant General. The Governor issues his orders to the militia through the Adjutant General. His salary is \$7,000 a year.

### STATE COUNCIL OF DEFENSE

In 1917 an act was passed by the Legislature creating a State Council of Defense consisting of fifteen persons appointed by the Governor. They were to coöperate

with the Council of National Defense. With the end of the war these bodies ceased to function.

#### STATE BUILDINGS, HIGHWAYS, SCHOOLS, AND INSTITUTIONS

All of the interests of the state formerly controlled by numerous boards and special officers are now cared for by nine administrative departments which are as follows:

The Department of Finance,  
The Department of Agriculture,  
The Department of Labor,  
The Department of Mines and Minerals,  
The Department of Public Works and Buildings,  
The Department of Public Welfare,  
The Department of Public Health,  
The Department of Trade and Commerce,  
The Department of Registration and Education.

Each department has a director and several other officers.

(See Civil Administrative Code, page 108)

#### STATE BOARDS NOT AFFECTED BY THE ADMINISTRATIVE CODE

**Joint Legislative Reference Bureau.** This bureau is composed of the Governor, the chairman of the committees on appropriations of the Senate and the House. The Governor is *ex officio* chairman of the bureau.

It is the duty of this bureau to collect and keep on file for convenient reference all such information as may be of use to the members of the Legislature in framing and passing laws for this state. The bureau appoints a secretary and fixes his salary at not to exceed \$5,000.

The members of the bureau receive no compensation aside from their regular salaries as Governor and mem-

bers of the General Assembly, but are allowed actual expenses not connected with their regular official duties.

**Canvassing Board.** The Secretary of State, Auditor, Treasurer, and Attorney-General constitute what is called the State Canvassing Board. These officers, or any two of them, within twenty days after every general election, must, in the presence of the Governor, canvass the election returns made by the several county clerks, to determine who has the highest number of votes for each office.

**Commissioners of State Library.** The Governor, Secretary of State, and State Superintendent of Public Instruction are, *ex officio*, commissioners of the State Library. The Secretary of State is librarian.

**State Civil Service Commission.** The Governor, with the advice and consent of the Senate, appoints three persons, not more than two of whom shall be of the same political party, to constitute this commission. The commissioners classify all the offices and places of employment in the several charitable institutions of the state, and in all state service *except* (1) officers elected by the people; (2) officers appointed by the Governor subject to confirmation by the Senate; (3) officers and employees of the General Assembly or either house thereof; (4) judges and officers appointed by judges, clerks of courts, notaries public; (5) persons in military service; (6) presidents and teachers of the University of Illinois and the state normal schools, together with the private secretary or stenographer in the office of the president of each of these educational institutions; (7) assistants, regular or special, of the Attorney-General or attorneys employed by any state board or officer; (8) building and loan and bank examiners; (9) superintendents, wardens, and chaplains of state charitable, correctional, and penal institu-

tions; and (10) all clerks and watchmen in the offices of Governor, Lieutenant-Governor, Secretary of State, State Treasurer, Auditor, and Superintendent of Schools.

Under the classified service, appointments are made upon competitive examinations, and promotions are based upon examinations, merit, and seniority of service.

The commissioners serve six years. The president of the board receives \$4,000 a year. The secretary receives \$3,500 a year. The others receive \$3,000 a year each.

#### SOME OTHER OFFICERS APPOINTED BY THE GOVERNOR

**Commissioner of Deeds.** The Governor of this state may appoint commissioners of deeds in other states, in the territories, and in foreign states. These commissioners have power to take acknowledgment of deeds and other instruments, and to take depositions. Their official acts have the same effect as if they had been done by an officer residing within the state.

**Public Administrators.** The Governor, with the consent of the Senate, must appoint in each county of the state a Public Administrator, whose duty it is to act as administrator of the estates of deceased persons having no relative or creditor within the state who will act as administrator.

**Notaries Public.** The Governor, with the consent of the Senate, may appoint Notaries Public. No person can be appointed except upon petition of at least fifty legal voters of the city, village, town, or precinct for which he is appointed. Notaries public are appointed for four years. They have authority to administer oaths, take depositions, take acknowledgment of such instruments as deeds and mortgages.

A deposition is a written testimony of a witness sworn to before a proper officer. Depositions are received in courts as evidence.

---

### CONSTITUTIONAL CONVENTION

The Constitutional Convention called by the legislature to "revise, alter or amend" the Constitution of 1870 met in Springfield January 6, 1920. It was composed of 102 delegates. The constitution adopted was rejected by the voters, December 12, 1922, by a decisive majority.

### SEARCH AND SEIZURE ACT

This bill passed by the legislature for the enforcement of war time prohibition defined intoxicating liquor, prohibited its manufacture, possession or use for beverage purposes, and regulated its manufacture, possession and use for medicinal, sacramental, or manufacturing purposes, within prohibition territory. The bill defined places where intoxicating liquor was handled in violation of these provisions, the liquor itself, and the implements and furniture used in connection therewith, as common nuisances, and provided for their seizure, confiscation and destruction.

### QUESTIONS AND TOPICS FOR STUDY

1. Name and locate the five state normal schools.
2. What is the state militia?
3. For what purpose do we have the state board of agriculture?
4. What powers has a notary public?

## ELECTORAL DISTRICTS

**Table of Counties.** The following table will be found useful in studying the district organization of the state. After each county name will be found the number of each district to which that county belongs.

COUNTY	COUNTY SEAT	CONGRES- SIONAL DISTRICT	SENA- TORIAL DISTRICT	JUDICIAL CIRCUIT	JUDICIAL DISTRICTS	
					APPELLATE	SUPREME
Adams.....	Quincy .....	15	36	8	3	4
Alexander.....	Cairo .....	25	50	1	4	1
Bond.....	Greenville .....	22	47	3	4	2
Boone.....	Belvidere .....	12	8	17	2	6
Brown.....	Mt. Sterling....	20	30	8	3	4
Bureau.....	Princeton .....	16	37	13	2	5
Calhoun.....	Hardin .....	20	36	8	3	2
Carroll.....	Mt. Carroll....	13	12	15	2	6
Cass.....	Virginia .....	20	30	8	3	4
Champaign....	Urbana .....	19	24	6	3	3
Christian.....	Taylorville ....	21	40	4	3	3
Clark.....	Marshall .....	18	34	5	3	3
Clay.....	Louisville .....	24	42	4	4	2
Clinton.....	Carlyle .....	23	42	4	4	1
Coles.....	Charleston ....	19	34	5	3	3
Cook.....	Chicago .....	1,2,3,4 5,6,7,8 9,10	1,2,3,4 5,6,7,9 11,13, 15,17, 19,21, 23,25, 27,29, 31	Not num- bered	1	7
Crawford.....	Robinson .....	23	48	2	4	2
Cumberland....	Toledo .....	18	40	5	3	2
DeKalb.....	Sycamore .....	12	35	16	2	6
DeWitt.....	Clinton .....	19	28	6	3	3
Douglas.....	Tuscola .....	19	34	6	3	3
DuPage.....	Wheaton .....	11	41	16	2	7
Edgar.....	Paris .....	18	22	5	3	3
Edwards.....	Albion .....	24	48	2	4	1
Effingham.....	Effingham .....	23	42	4	4	2
Fayette.....	Vandalia .....	23	40	4	4	2
Ford.....	Paxton .....	17	26	11	3	3
Franklin.....	Benton .....	25	50	2	4	1



COUNTY	COUNTY SEAT	CONGRES- SIONAL DISTRICT	SENATE DISTRICT	JUDICIAL CIRCUIT	JUDICIAL DISTRICTS	
					APPELLATE	SUPREME
Fulton.....	Lewistown ....	15	43	9	3	4
Gallatin.....	Shawncetown..	24	48	2	4	1
Greene.....	Carrollton ....	20	38	7	3	2
Grundy.....	Morris .....	12	20	13	2	5
Hamilton.....	McLeansboro .	24	51	2	4	1
Hancock.....	Carthage .....	14	32	9	3	4
Hardin.....	Elizabethtown..	24	48	2	4	1
Henderson.....	Oquawka .....	14	33	9	2	4
Henry.....	Cambridge .....	15	37	14	2	5
Iroquois.....	Watsika .....	18	20	12	2	3
Jackson.....	Murphysboro ..	25	44	1	4	1
Jasper.....	Newton .....	23	46	4	4	2
Jefferson.....	Mt. Vernon....	23	46	2	4	1
Jersey.....	Jerseyville .....	20	38	7	3	2
Jo Daviess.....	Galena .....	13	12	15	2	6
Johnson.....	Vienna .....	24	51	1	4	1
Kane.....	Geneva .....	11	14	16	2	6
Kankakee.....	Kankakee .....	18	20	12	2	7
Kendall.....	Yorkville .....	12	14	16	2	6
Knox.....	Galesburg .....	15	43	9	2	5
Lake.....	Waukegan .....	10	8	17	2	7
LaSalle.....	Ottawa .....	12	39	13	2	5
Lawrence.....	Lawrenceville ..	23	48	2	4	2
Lee.....	Dixon .....	13	35	15	2	6
Livingston.....	Pontiac .....	17	16	11	2	3
Logan.....	Lincoln .....	17	28	11	3	3
Macon.....	Decatur .....	19	28	6	3	3
Macoupin.....	Carlinville .....	21	38	7	3	2
Madison.....	Edwardsville ...	22	47	3	4	2
Marion.....	Salem .....	23	42	4	4	2
Marshall.....	Lacon .....	16	16	10	2	5
Mason.....	Havana .....	20	30	8	3	4
Massac.....	Metropolis .....	24	51	1	4	1
McDonough.....	Macomb .....	14	32	9	3	4
McHenry.....	Woodstock .....	11	8	17	2	6
McLean.....	Bloomington ..	17	26	11	3	3
Menard.....	Petersburg .....	20	30	8	3	4
Mercer.....	Aledo .....	14	33	14	2	4
Monroe.....	Waterloo .....	22	44	3	4	1
Montgomery.....	Hillsboro .....	21	38	4	3	2
Morgan.....	Jacksonville ...	20	45	7	3	4
Moultrie.....	Sullivan .....	19	24	6	3	3
Ogle.....	Oregon .....	13	10	15	2	6
Peoria.....	Peoria .....	16	18	10	2	5
Perry.....	Pinckneyville ..	25	44	3	4	1

COUNTY	COUNTY SEAT	CONGRES- SIONAL DISTRICT	SENA- TORIAL DISTRICT	JUDICIAL CIRCUIT	JUDICIAL DISTRICTS	
					APPELLATE	SUPREME
Piatt.....	Monticello ....	19	24	6	3	3
Pike.....	Pittsfield ....	20	36	8	3	2
Pope.....	Golconda ....	24	51	1	4	1
Pulaski.....	Mound City...	25	50	1	4	1
Putnam.....	Hennepin ....	16	16	10	2	5
Randolph.....	Chester ....	25	44	3	4	1
Richland.....	Olney ....	23	46	2	4	2
Rock Island...	Rock Island...	14	33	14	2	4
Saline.....	Harrisburg ...	24	51	1	4	1
Sangamon.....	Springfield ...	21	45	7	3	3
Schuyler.....	Rushville ....	15	30	8	3	4
Scott.....	Winchester ...	20	36	7	3	2
Shelby.....	Shelbyville ...	19	40	4	3	2
Stark.....	Toulon ....	16	37	10	2	5
St. Clair.....	Belleville ....	22	49	3	4	1
Stephenson....	Freeport ....	13	12	15	2	6
Tazewell.....	Pekin ....	16	30	10	3	3
Union.....	Jonesboro ....	25	50	1	4	1
Vermilion.....	Danville ....	18	22	5	3	3
Wabash.....	Mt. Carmel....	23	48	2	4	1
Warren.....	Monmouth ....	14	32	9	2	4
Washington....	Nashville ....	22	44	3	4	1
Wayne.....	Fairfield ....	24	46	2	4	1
White.....	Carmi ....	24	48	2	4	1
Whiteside.....	Morrison ....	13	35	14	2	6
Will.....	Joliet ....	11	41	12	2	7
Williamson....	Marion ....	25	50	1	4	1
Winnebago....	Rockford ....	12	10	17	2	6
Woodford.....	Eureka ....	17	16	11	2	5

The congressional and senatorial apportionments were made in 1901. The judicial districts were fixed by the General Assembly in 1897. The apportionment of 1901 divides Illinois into twenty-five congressional districts. Two congressmen are elected at large. The state has twenty-nine electoral votes.





**THE CONGRESSIONAL DISTRICTS**

COOK COUNTY DISTRICTS.  
 1st, 2nd, 3rd, 4th, 5th, 6th,  
 7th, 8th, 9th, and 10th.





## CHAPTER XI

### NATIONAL GOVERNMENT

#### HISTORICAL SKETCH

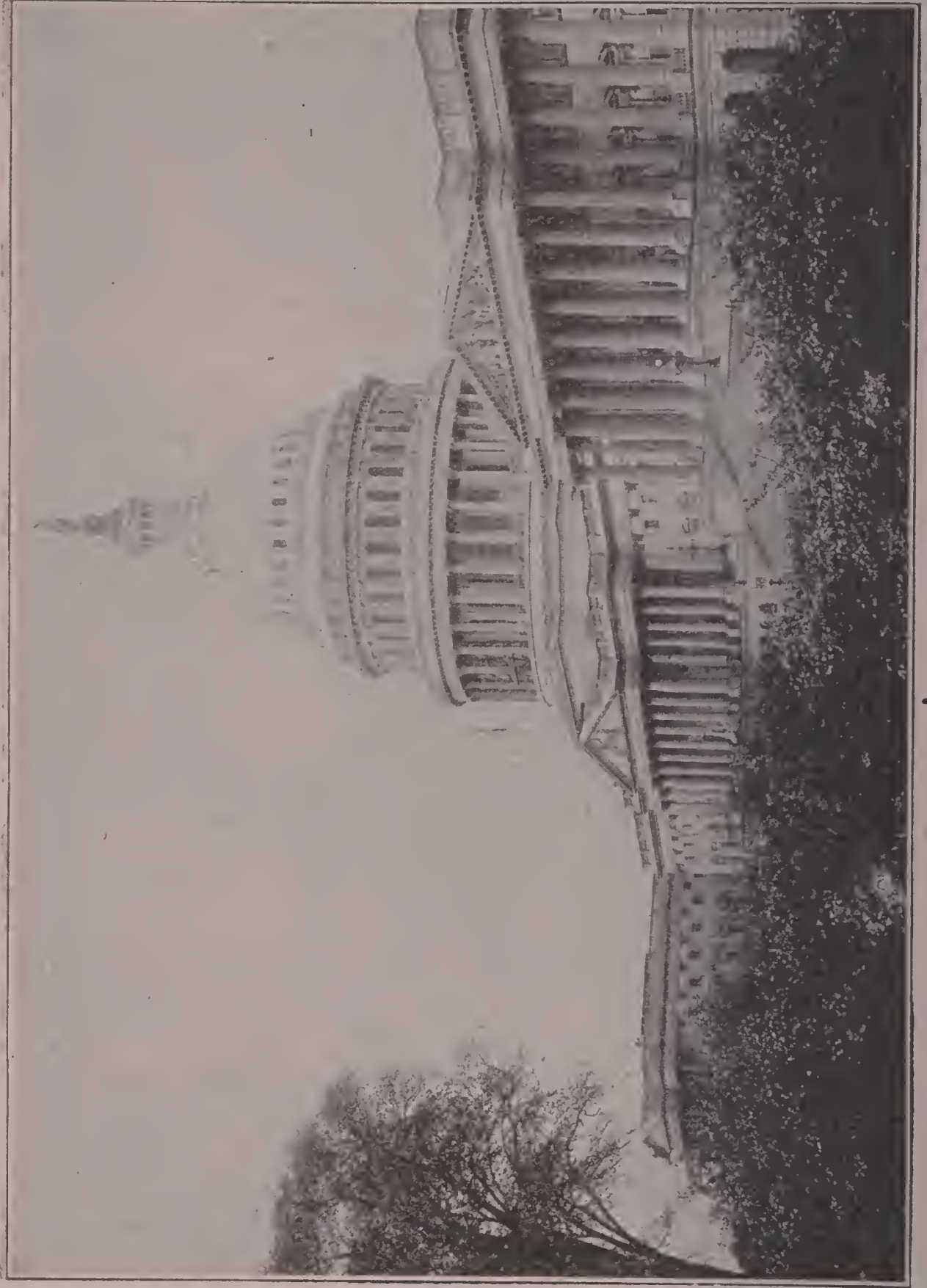
**Declaration of Independence.** July 4, 1776, the date of the adoption of the Declaration of Independence, may be regarded as the beginning of our national existence.

In this connection, review our colonial history sufficiently to understand the need and the nature of the Declaration of Independence.

**Articles of Confederation.** Immediately after the adoption of the Declaration of Independence, a plan was proposed for the union of the states, but it did not meet with approval.

In 1777, the Articles of Confederation were agreed to by Congress, and were to be in force when ratified by all of the states. Ten states ratified them the next year, but the remaining states failed to do so promptly. Indeed, Maryland withheld her ratification till 1781, nearly five years after the Declaration of Independence, and only six months before the surrender of Cornwallis practically closed the Revolutionary War.

The Articles of Confederation were faulty in many particulars. Congress consisted of one house, the members of which were chosen annually by the several states, and could be recalled at pleasure. Members were paid by the state they represented. Each state had one vote, which was determined by a majority of its delegates.



THE UNITED STATES CAPITOL, WASHINGTON, D. C.



The vote of two-thirds of the states was necessary to authorize any important action. No provision was made for an executive department, nor for a judiciary. Thus Congress could declare war, but could not compel the states to furnish men and supplies. It could make peace, treaties, and alliances, but any state could violate the provisions of these with impunity. It could apportion taxes among the states, but had no authority to collect them. It could borrow money, but could not compel its repayment. It could coin money, but had no power to purchase the necessary gold and silver. It could appoint ambassadors, but could not pay even their expenses.

So insufficient were the Articles that a convention was called by Congress to meet at Philadelphia in May, 1787, for the express purpose of revising them. This convention was attended by delegates from every state but Rhode Island. Two of the three delegates from New York returned home before the final action was taken, leaving that state without a vote.

**The Constitution.** The Articles were found to be faulty in theory as well as practice, and, after considerable discussion, the convention decided to abandon them and prepare a constitution on another plan. The result was the present Constitution, agreed to September 15, 1787, and soon after reported to Congress together with a recommendation that it be submitted for ratification to the conventions held in the several states for that purpose. The Constitution was submitted as recommended and was ratified by eleven states in 1788. North Carolina ratified it in 1789, and Rhode Island in 1790. "Little Rhody" was practically forced into the Union. The other states were preparing to treat her as a foreign power, and to restrict her commerce by taxing goods.

imported from Rhode Island. When she entered the Union, she retained the old charter granted by Charles II in 1663, and its abandonment in favor of a state constitution in 1842 led to Dorr's Rebellion.

The ratification of nine states was necessary to give effect to the Constitution. It went into operation on the first Wednesday in March, 1789. As this was the fourth of March, the terms of the presidents begin on that day. On account of various delays, however, Washington was not inaugurated the first time until April 30, 1789.

### LEGISLATIVE DEPARTMENT

**Congress.** The legislative power of the national government is vested in a congress which consists of two houses—the Senate and the House of Representatives.

**House of Representatives.** The House of Representatives, or the "lower house," is composed of members elected by the people of the several states. The members are elected for two years.

Any person legally qualified to vote for members of the most numerous branch of his state legislature may vote for a Representative in Congress. This implies that all states are to have more than one legislative branch, and, as Representatives to Congress are elected by the people, the members of the most numerous branch of the state legislature are to be elected in the same manner. Each state prescribes the qualifications of voters for members of its legislature. From this it follows that by moving from one state to another a man may gain or lose the right to vote for a Representative in Congress. No state has made the qualifications of voters for a Representative to be different

from those of voters for state and local officers, so that, as a matter of fact, any legal voter in any state can vote for a Representative in Congress.

**Eligibility of Members.** Representatives must be at least twenty-five years of age. No person can be a Representative who has not been for seven years a citizen of the United States, and who is not, when elected, an inhabitant of the state from which he is chosen. He need not live in the district represented by him, but it is seldom that the people of a district elect a man from another part of the state. In Great Britain, on the other hand, it is common for the people to elect to the House of Commons a man who lives in quite another part of the country. Mr. Gladstone resided in Wales, but for many years represented Midlothian, in Scotland.

A Representative need not remain an inhabitant of the state from which he is chosen.

No United States officer can be a member of the House of Representatives during his continuance in office.

States cannot add further restrictions upon eligibility.

By the conditions of the fourteenth amendment, adopted in 1868, no person can be a Senator or Representative who, having previously taken an oath as an officer of the United States or as a state officer to support the Constitution of the United States, shall have engaged in rebellion against the United States, or given aid and comfort to their enemies, unless Congress, by a vote of two-thirds of each house, remove such disability. Congress has removed this disability in nearly all cases.

In case a state should be added by conquest or purchase, its inhabitants becoming citizens immediately, the requirements of seven years' citizenship in the United States would not be necessary, as each state is, by an-

other provision, entitled to at least one Representative.

Each territory has one Representative. He may speak upon any question relating to his territory, but he has no vote.

**Congressional Apportionments.** After the taking of the census every ten years, Congress determines how many members of the House of Representatives there shall be for the ensuing ten years. Under the census of 1910 the number of Representatives is 435.

The number representing the population of the United States is divided by the number of Representatives. The quotient shows the number of people entitled to one Representative. The number is called the "congressional ratio." The number representing the population of each state is then divided by the congressional ratio. This quotient gives the number of Representatives to which the state is entitled. The state is then divided by its legislature into as many congressional districts as there are Representatives to be elected in that state, and each district chooses one Representative.

It is evident that by dividing the number representing the population of each state by the congressional ratio, fractions will occur in nearly every case, and that the sum of the integral quotients will be less than the required number. This is remedied by giving to the states having the largest fractions one additional Representative each, until the required number are provided for.

**Congressmen at Large.** If a state legislature fails to provide for its increased representation by redistricting the state before the next general election, the additional Representatives are chosen by the voters of the state on a general ticket and are known as congressmen-at-large. Since the Congressional Apportionment of 1910, Illinois has elected two congressmen-at-large.

**Slavery.** Prior to the adoption of the thirteenth amendment in 1865, the population of the state was obtained by counting all free persons, except Indians not taxed, and three-fifths of the slaves. This plan was adopted as a compromise between the delegates from the northern and southern states in the Constitutional Convention. At that time all the states except Massachusetts held slaves, but slavery was dying out of all the northern states. It seemed for a time that the question of slavery would ruin all chances of a constitutional union, but concessions were made on both sides. The northern states agreed to count three-fifths of the slaves in apportioning Representatives, and the southern states to count the slaves in the same manner in apportioning direct taxes. The northern states agreed that Congress should not interfere with the bringing of slaves from Africa for twenty years, and that runaway slaves should be delivered up to their masters; the southern, that a tax not to exceed ten dollars (\$10) a head might be laid upon slaves so imported. Both compromises proved to be in favor of the southern states.

The Constitution proper does not mention slaves directly. They are spoken of as "three-fifths of all other persons," and as "such persons as any of the states now existing shall think proper to admit."

From the adoption of the fourteenth amendment in 1868, to that of the fifteenth in 1870, negroes were counted in apportioning Representatives to the southern states, if those states allowed male negroes who were twenty-one years of age, or over, to vote. If only white men voted, only white persons were counted.

**Vacancies.** When a vacancy happens in the representation of any state, from the death, resignation, or expulsion from office of any member, or by his accept-

ance of an incompatible office, the Governor calls an election to fill such vacancy.

**Officers.** The House of Representatives elects its speaker and other officers. The former is considered by many to rank next to the President in real political power. Upon his attitude, friendly or otherwise, toward pending measures the work of the House largely depends. He may vote on all questions, and is required to do so whenever his vote will decide the pending question, or when the vote is by ballot.

Upon two occasions the Lower House has spent two months or more in electing a speaker.

Besides the speaker, the House has a clerk, sergeant at arms, doorkeeper, postmaster, and chaplain.

Aside from his other duties, the clerk, who is usually an ex-member of Congress, calls the House to order at the beginning of the next Congress, and presides until a speaker is elected.

The duties of the other officers may be inferred from their titles.

**Impeachment.** The House of Representatives has the sole power of impeachment.

When charges of treason, bribery or other high crimes or misdemeanors are brought against an officer of the United States, a committee of the House is appointed to investigate them. If the committee reports in favor of his impeachment, the different charges, having been reduced to writing, are discussed and voted upon separately. If the House, by a majority vote, decides upon impeachment, the charges, or articles of impeachment, are sent to the Senate, and a committee is appointed to prosecute the impeachment before that body. The trial of impeachment will be discussed later.

**Bills for Revenue.** All bills for raising revenue must

originate in the House of Representatives. The Senate, however, may propose or concur with amendments, as in other cases. This provision regarding bills for raising revenue was made because the members of the House were the direct representatives of the people who pay taxes, and who therefore wish to control the public purse. Senators are now direct representatives of the people, but revenue bills must still originate in the House.

**Senate.** The Senate is composed of two Senators from each state. They are elected by the people of the several states and serve six years. They are now chosen by direct vote of the people in the respective states instead of by the state legislatures. The change is due to the adoption of the seventeenth amendment to the Constitution of the United States. The affirmative action of the Connecticut legislature on April 8, 1913, gave the amendment the approval of thirty-six states—the required three-fourths of the state legislatures of the Union.

The times, places and manner of holding elections for Senators and Representatives are prescribed by the several state legislatures. But Congress may, at any time, make or alter such regulations.

The seventeenth amendment provides that when vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies. However, the legislature of any state may empower its executive to make temporary appointments until the people fill the vacancies by election as the legislature may direct. Pursuant to this provision the legislature of Illinois has enacted that when a vacancy shall occur in the office of United States Senator from this state, the Governor shall make temporary appointment to fill such vacancy until

the next election of Representatives to Congress, at which time the vacancy shall be filled by election.

When the Senators assembled for the first time, they were divided as equally as possible into three classes. Those of the first class served two years; of the second class, four years; and of the third class, six years; since that time one-third of the Senators have been chosen every two years.

In the Constitutional Convention, the question of representation in Congress gave rise to long and bitter discussion. The larger states wanted representation in both houses to depend upon population, while the smaller states wanted equal representation of the states in both houses. They finally compromised by allowing the representation in the House to be determined by population, while equal representation was given in the Senate.

Each Senator has one vote—that is, the Senators do not vote by states. Senators from the same state may, and frequently do, vote upon opposite sides of a question.

**Eligibility of Senators.** No person can be a Senator who has not attained the age of thirty years, been nine years a citizen of the United States, and who is not, when elected, an inhabitant of the state from which he is chosen.

No officer of the United States can be a Senator during his continuance in office.

It is not necessary for a Senator to reside in the state during his term of office.

Senators are “Congressmen” and “Members of Congress” just as truly as are the Representatives, although these terms are often erroneously limited to the members of the House of Representatives.

**Officers.** The Vice-President of the United States is



president of the Senate. He has a vote only in case of a tie. The Senate chooses its other officers, who are a president *pro tempore*, a secretary, a chief clerk, an executive clerk, a sergeant at arms, a doorkeeper, and a chaplain.

While there is an actual Vice-President, the president *pro tempore* is chosen to preside temporarily in the absence of the former. But when the office of Vice-President becomes vacant, the president *pro tempore* is chosen permanently and receives the same salary as was paid to the Vice-President.

**Trials of Impeachments.** The Senate has the sole power to try all impeachments. When sitting for this purpose, the Senators are on oath or affirmation. When the President of the United States is tried, the Chief Justice presides, as the Vice-President is interested in the result.

Judgment in cases of impeachment can extend only to removal from office and disqualification to hold any office of honor, trust or profit under the United States. A two-thirds vote of the members present is necessary to conviction, and removal from office is a necessary consequence of conviction in case of impeachment. The disqualification to hold office may, or may not, be added. The person so convicted may also be tried and punished according to law. The President has no power to grant pardon in cases of impeachment.

It will be seen that in matters of impeachment the part taken by the House of Representatives is, at first, similar to that taken by a grand jury, the articles of impeachment being of the nature of an indictment. After the impeachment reaches the Senate, the House, through five of its members, called managers, conducts the prosecution in much the same manner as a criminal case is

conducted by a prosecuting attorney. Throughout the trial the Senate sits with open doors, but after the evidence and arguments are in, the doors are closed and the Senate deliberates in secret session in much the same manner as an ordinary jury.

**Meetings of Congress.** Congress meets each year on the first Monday in December. It may by law appoint a different day, but at least one meeting must be held each year. It should be noted that all the members of the lower house are elected every two years, the election occurring in the month of November. The members elect do not take their seats, however, in regular session until the first Monday in December *of the following year*. This is one of the most serious defects in what may be called the machinery of our national government. The terms of the members elect begin on the fourth day of March next following the election, but in the absence of an extra session called by the President, the Congress of which they are members does not convene until December.

Extra sessions of Congress, or of either house, may be called by the President upon extraordinary occasions.

**Membership.** Each house is the judge of the elections returns, and qualifications of its own members. Each house has a committee on elections, to whom all contested cases are referred, the house itself acting upon the report of the committee when it is rendered. The decision of the house is final.

**Quorum.** A majority of either house constitutes a quorum to do business. A smaller number may adjourn from day to day, and are authorized to compel the attendance of absent members.

In England 40 members of the House of Commons constitute a quorum, though there are 670 members in all.

**Rules.** Each house determines the rules of its proceedings, has power to punish its members for disorderly conduct, and, by a concurrence of two-thirds, may expel a member.

**Journals.** Each house keeps a journal of its proceedings. These journals are published from time to time, except such parts as, in the judgment of the respective houses, require secrecy.

**Yeas and Nays.** In either house, at the request of one-fifth of those present, the yeas and nays upon any question are entered on the journal. The opponents of a pending measure sometimes attempt to defeat or at least to delay it beyond the session by making dilatory or trivial motions, such as motions to adjourn, and then calling for the yeas and nays upon all such motions. This practice is called "filibustering."

**Adjournments.** During the session of Congress, neither house can, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses are sitting. In case of disagreement between the two houses as to the time of adjournment, the President may adjourn them to such time as he may think proper.

**Salary of Members.** The compensation of members of Congress is fixed by law, and is paid out of the Treasury of the United States. Senators and Representatives receive \$7,500 per annum. The speaker of the House, and the president *pro tempore* of the Senate each receives \$12,000 per annum.

Members of the English Parliament receive no salary whatever.

**Privileges of Members.** In all cases except treason, felony, and breach of the peace, members of Congress are privileged from arrest during their attendance at the

sessions of their respective houses, and in going to and returning from them. They cannot be questioned in any other place for any speech or debate made in either house.

**Disabilities of Members.** No Senator, or Representative can, during the time for which he is elected, be appointed to any civil office of the United States which may be created, or the emoluments of which may be increased, during such time. This provision prevents the President from rewarding members who support measures in which he is interested by appointing them to offices created or made more lucrative during their terms of service. The intention is to keep the executive and legislative departments as distinct as possible.

**Oath of Members.** Senators and Representatives, the members of the several state legislatures, and all executive and judicial officers of the United States and of the several states are bound by oath, or affirmation, to support the Constitution of the United States. No religious test can be required as a qualification to any office or public trust under the United States.

**Powers and Duties of Congress.** The powers and duties of Congress are defined by the Constitution. Nevertheless there has always been great diversity of opinion as to what the powers of Congress really are in several important particulars. The members of the convention which framed the Constitution differed widely as to the powers that should be given Congress. Some were in favor of giving it very great power, while others were in favor of limiting its power to the minimum. Since the adoption of the Constitution, statesmen have divided upon the same lines, and the contest has been transferred from the making to the interpretation of that instrument. Those who favor an interpretation which tends to limit the powers of Congress are called "strict con-

structionists," while those favoring an interpretation tending to enlarge the powers of Congress are called "loose constructionists."

**Taxes and Duties.** Congress has power to levy and collect taxes and duties to pay the debts and provide for the common defense and general welfare of the United States; but all such taxes and duties must be uniform throughout the United States.

The Constitution contains also the words *imposts* and *excises* in this connection, but the laws of Congress use only the word *duties* for all indirect taxes. Indirect taxes are chiefly of two kinds: Duties upon imported goods, commonly called tariff taxes, and duties upon the production or use of certain articles of trade or instruments in writing, as tobacco, patent medicines, liquors, deeds, bank checks, etc., commonly called internal revenue.

Many cases before the Supreme Court of the United States have involved the question of what constitute direct taxes within the meaning of the Constitution, which provides that when direct taxes are levied by the United States, they shall be apportioned among the several states in proportion to their respective population.

The revenue law passed by Congress in 1894 provided for a tax on all incomes over \$4,000, derived from property, salary, trade, etc., not including necessary expenses, taxes, and interest. The constitutionality of this law was attacked, and the Supreme Court held it unconstitutional and void on the ground that taxes on incomes are direct taxes and so must be apportioned among the several states according to their population. The court was divided upon this point, the final vote upon it standing five judges against and four for the validity of the law.

This decision led to the submission by Congress of an amendment to the Constitution of the United States providing that Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration. This amendment was duly ratified by the legislatures of three-fourths of the states, and became a part of the national Constitution in 1913. It is known as the sixteenth amendment.

Pursuant to this amendment Congress has enacted an income tax law in connection with revised tariff legislation, providing for a graduated tax on all incomes over \$2,000—(\$1,000 for unmarried persons).

Capitation taxes are taxes laid upon persons at so much a head, without regard to property.

Direct taxes have been levied by Congress only when the country has been at war. Incomes were taxed in support of the Union cause during the Rebellion, and such taxes were then treated as indirect taxes by the Supreme Court. It must be remembered that the terms *direct taxes* and *indirect taxes* do not mean the same in the Constitution as in the discussion of questions in political economy. In the latter case, by direct taxes is meant those which will stay where they are put, that is, which cannot be added by the payer to the price of goods, or otherwise shifted so that they are ultimately paid by some one else; while by indirect taxes is meant those which can be so shifted.

The ordinary taxes levied by the state and local authorities are direct taxes within the meaning of the Constitution as defined by the Supreme Court, but many of them may be shifted, and so are indirect within the meaning of political economy. Thus, the tax paid by a manufacturer upon the materials, machinery, buildings,

etc., used by him in his business are counted as a part of the cost of production, and are included in the price for which the manufactured articles are sold. The same principle applies to merchants; the taxes which they pay as merchants upon their stocks are covered by the prices at which they sell their goods.

It has been the policy of the national government to raise its revenues, as a rule, by means of taxes which are indirect in every sense of the word—that is, indirect both in form and in fact. They are levied with the expectation that the person who pays them will reimburse himself in some way, and that they will ultimately fall upon some one else who will, as it were, pay them without knowing it. It is upon the subject of levying indirect tariff taxes upon imports that the doctrines of “protection” and of “tariff for revenue only” arise.

Taxes for state, county, and other purposes paid by citizens of Illinois to the local tax collector are all direct in form, although, as we have seen, many of them are not so in fact.

Taxes may be collected to pay the public debt, and “to provide for the common defense and to promote the general welfare of the United States.” The meaning and scope of this expression has been much discussed by statesmen, and has been a fruitful source of contention between the “strict constructionists” and their opponents.

**Borrowing Money.** Congress may borrow money upon the credit of the United States. This may be done directly or indirectly. When money is borrowed directly upon the credit of the United States, interest-bearing bonds are generally issued by the government.

At various times before the Civil War, Congress issued treasury notes and paid them to such of its creditors as were willing to take them. These notes were

what are spoken of in the Constitution as "bills of credit," and were promises to pay money on demand or at some future time. Some of them bore interest. None of these notes issued prior to 1862 were made legal tender, and persons were not compelled to accept them even from the government.

**Greenbacks.** During the Civil War, Congress authorized various issues of treasury notes which were declared to be lawful money and legal tender in payment of all debts, public and private, except duties on imports and interest on the public debt. Interest on the public debt was paid in coin and this could only be done by requiring tariff taxes to be paid in gold and silver, since the government could get gold and silver in no other way.

The people were compelled to take these legal tender notes, commonly called "greenbacks," in payment of debts due from the government, and thus were indirectly forced to loan the government the amount of these issues of greenbacks, or \$450,000,000.

When the government stopped paying out gold and silver and issued in its stead legal tender notes, it was said that it had "suspended specie payments." The amount of greenbacks was afterward reduced to \$346,681,016, and in 1879 the government again began to pay all its debts in gold and silver, or, as it was said, "resumed specie payments."

**Commerce.** Congress has power to regulate commerce with foreign nations, among the several states, and with the Indian tribes.

Under the Confederation, each state regulated the commerce of its people, not only among themselves, but with other states and foreign nations. This led to serious difficulties and greatly hindered trade, on account of the lack of uniformity in the regulations of the different



states, and of the constant change to which they were subject.

In pursuance of the power to regulate commerce with foreign nations, Congress passed the Embargo Act of 1807. At this time the United States was involved in difficulties with England and France. The embargo was laid on all foreign vessels bound to a foreign port, from any port within the jurisdiction of the United States, thus compelling all such vessels to lay where they were until the embargo should be raised. This action was taken upon the assumption that American trade was so valuable and necessary to those countries that, rather than do without it, they would make terms with our government. The act failed of its purpose, however, and was repealed in 1809. It was followed by a non-importation act which forbade commercial intercourse with England and France.

The Interstate Commerce Law was passed by virtue of power to regulate commerce among the states. This law was designed, among other things, to prevent unfair discriminations in the transportation facilities offered to persons and places; to prevent the giving of passes to persons supposed to possess influence valuable to railroads; to prevent unfair discrimination in passenger fares as between different places, and in freight charges, either in the form of special rates or in the form of rebates; and to require all charges to be open and public.

**Interstate Commerce Commission.** To enforce this law Congress created the Interstate Commerce Commission, eleven members and a secretary, appointed by the president. The chairman's salary is \$12,000; the commissioners', \$10,000 each; the secretary's, \$7,500.

**Anti-Trust Law.** In 1890 an act was passed by Con-

gress for the purpose of protecting trade and commerce against unlawful restraints and monopolies. This is known as the "Anti-trust Law." Like the Interstate Commerce Act, it does not apply to commerce carried on exclusively within a state, but it declares every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several states or with foreign nations to be illegal. The circuit courts of the United States are given jurisdiction over such cases.

**Naturalization.** Congress has power to establish a uniform rule of naturalization.

An alien must first make before the clerk of the circuit (or superior) court a sworn declaration of intention to become a citizen. Not less than two nor more than seven years thereafter he must sign, in his own handwriting, his final petition for naturalization. Ninety days after this he must appear in court. He must state, on oath, that he is not a disbeliever in or opposed to organized government, nor connected with any organization teaching disbelief in or opposition to such government, that he is neither a polygamist nor a believer in polygamy, and that he intends to reside permanently in the United States. He must renounce all allegiance to any foreign prince or state, and swear that he will support the Constitution and laws of the United States. Finally, he must prove by two witnesses that he has resided five years within the United States and one year in the given state or territory, and behaved as a man of good moral character. No person can be naturalized who can not speak the English language, if physically able.

When a man's naturalization is completed, his wife and his children under twenty-one years of age also become citizens. If a man die after having made his dec-

iation and before he secures his "final papers," his widow and his minor children can become citizens upon taking the necessary oaths.

The children of citizens of the United States are considered citizens, though born abroad.

**Bankruptcy.** Congress has power to make uniform laws on the subject of bankruptcy throughout the United States.

When a person is unable to pay his debts, he is said to be insolvent. Upon his own petition, or that of one or more of his creditors, he may go through proceedings of bankruptcy, by which he may be declared by the proper officer to be a bankrupt. He is then no longer liable for past debts, but may again accumulate and hold property in his own name.

**Coining Money.** Congress has power to coin money, and to regulate its value and that of foreign coin.

The metals used in coining money in the United States are gold, silver, copper, and nickel. The coining is done by putting these metals into proper form and size, and giving to them the stamp of the government. This is done at the mints and branch mints of the government. The letters upon coins, as "S," "D," and "P" show at what mints the coins were struck—San Francisco, Denver, or Philadelphia.

To regulate the value of United States money is simply to determine the ratio of one metal to another, with reference to their weight in coins of equal value. Thus the ratio of silver and gold is now sixteen to one, that is, the silver dollar weighs substantially sixteen times as much as a gold dollar.

The value of foreign coins is regulated by Congress when it fixes the rate at which such coins will be received at the national treasury. This rate is governed by their

bullion value, that is, their value as gold or silver irrespective of their form and stamp as money. Foreign coins are not legal tender in the United States.

**Weights and Measures.** Congress has power to fix the standards of weights and measures.

Some of the weights and measures in common use have been determined by Congress; the others rest upon use and tradition. All were adopted from England. The national government and that of each state has a complete set of weights and measures that have been adopted as standards.

The metric system of weights and measures has been authorized by Congress, but is little used in this country except for scientific purposes.

**Counterfeiting.** Congress has power to provide for the punishment of counterfeiting the securities and current coin of the United States.

The penalty for counterfeiting gold and silver coins is fixed at a fine not exceeding \$5,000 and by imprisonment not exceeding ten years. For counterfeiting copper and nickel coins the penalty is a fine not exceeding \$1,000 and imprisonment not exceeding three years. The counterfeiting of the securities of the United States, including all bonds, coupons, national bank notes, greenbacks, etc., is punished by a fine not exceeding \$5,000 and by imprisonment at hard labor not exceeding fifteen years.

**Post Offices and Post Roads.** Congress has power to establish post offices and post roads.

By virtue of this power, the Post Office Department was established by Congress. It is under the charge of the Postmaster-General. All postmasters whose compensation is less than \$1,000 a year are under the rules of the civil service. All other postmasters are appointed by the President and confirmed by the Senate. The com-

compensation of the former class is derived from the renting of boxes and a percentage on the sale of stamps, etc. Postmasters of the latter class receive salaries.

**Copyrights and Patents.** Congress has power to promote the progress of science and the useful arts by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries.

The exclusive rights of authors are secured by copyrights; of inventors, by patents. The former, issued by the Librarian of Congress, are valid for twenty-eight years; the latter, issued by the Commissioner of Patents, are valid for seventeen years.

**Inferior Courts.** Congress may constitute tribunals inferior to the Supreme Court. These will be discussed under the judicial department.

**Piracy.** Congress has power to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

Robbery at sea is termed piracy. The expression *high seas* is a general term for the ocean, including coast waters beyond low-water mark. The law of nations consists of a body of rules, founded upon justice, and recognized as governing the conduct and relations of independent countries with one another.

**Power to Declare War.** Congress has power to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

In 1812 Congress passed an act declaring war against Great Britain. This is the only case in which war has been declared directly by Congress. In 1846 it passed an act which recited in its preamble that, by the act of the Republic of Mexico, a state of war existed between that government and the United States. A similar action was taken in 1898 regarding our war with Spain.

A rebellion, or civil war, is not a war in the sense in which the word is used in the Constitution and in international law. War, in this wide sense, can exist only between nations. Therefore there was no declaration of war against the South in the case of the Rebellion.

Letters of marque and reprisal authorize a private person to cross the boundary into the enemy's country, and to seize the persons or property of its subjects. When these letters are granted to the commander of a private vessel, the vessel becomes a privateer, and her crew may commit acts which before would have been piracy.

**United States Army.** Congress has power to raise and support armies, but no appropriation of money for this purpose can be for a longer term than two years.

All of the Representatives and one-third of the Senators are chosen every two years. The people who elect them can virtually control the army through the appropriation for its support.

The men who framed the Constitution looked upon a large standing army as a menace to a free people, and so took this step to prevent the President or Congress, or both, from maintaining a large army in time of peace, or from carrying on a foreign war against the will of the people. This is the only matter in which the power of Congress is curtailed in this manner. The policy of the national government has always been in harmony with this provision. At the close of the Civil War the great army of the Union was at once disbanded, and the soldiers returned to the pursuits of peace with a promptness which astonished the governments of Europe.

**United States Navy.** Congress has power to provide and maintain a navy.

Although our navy has always been relatively small,

it has distinguished itself in our wars by many brilliant victories. A fair-sized navy, well equipped, seems to be ample for all our needs. The two years' restriction upon appropriations for the army does not apply to the navy.

**Rules for Army and Navy.** Congress makes rules for the government and regulation of land and naval forces. The rules for the army and navy are enforced by courts martial.

**The Militia.** Congress provides for the calling forth of the militia to execute the laws of the Union, suppress insurrections, and repel invasions; also, for the organizing, arming, and disciplining of the militia, and for governing such part of them as may be employed in the service of the United States. The appointment of officers and the authority of training the militia according to the discipline prescribed by Congress is reserved to the states respectively.

The militia, or citizen soldiers, are called out only in cases of emergency. In 1794 and 1861-4 the militia were called out to suppress the Whisky Insurrection and the Rebellion, respectively. In 1812, they were called out to repel the invasion of the British. While in active service of the United States, the militia are paid the same as the regular soldiers and are subject to the same discipline.

In the war with Spain the militia, as such, were not called into service. But many organizations of militia entered the United States service, in a body, as volunteers.

**District of Columbia.** Congress exercises exclusive jurisdiction over the District of Columbia, and over all places purchased by the consent of the several states for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings. The District of Columbia is in reality a territory of the United States, although it is not governed in the same manner as the other territories.

The District is now governed by a board of three commissioners, two of whom are appointed by the President and Senate and serve three years; the third is one of the engineers of the army detailed to this duty by the President. There are no elections of any kind by the people of the District, they being wholly without political rights. The expenses of local government are paid one-half by Congress and one-half by the property owners of the District, which comprises about seventy square miles, all lying upon the Maryland side of the Potomac. The District was originally ten miles square and lay in both Maryland and Virginia, but in 1846 the part on the right bank of the Potomac was deemed of no advantage to the national government, and was ceded back to Virginia.

**Electors.** Congress determines the time of choosing electors for President and Vice-President, and the day on which the electors give their votes, which day, however, must be the same throughout the United States.

**Other Powers.** Congress also has power :

1. To declare the punishment of treason.
2. To dispose of, and make all needful rules respecting the territory or other property of the United States.
3. To propose amendments to the Constitution.
4. To admit new states into the Union.
5. To regulate the appellate jurisdiction of the Supreme Court, and to determine where trial of crimes shall be held, when not committed within any state.
6. To prescribe, by general laws, the manner in which the public acts, records, and judicial proceedings of the several states shall be proved, and what shall be their effect.

Under this power Congress has provided the manner in which acts of state legislatures, the records and judicial proceeding of state courts, and all records which may



be kept in any public office of any state, not appertaining to a court, may be proved or admitted in any court or office in any other state. When so proved, or "authenticated," such records have the same faith and credit given to them in every court and office within the United States as they have by law or usage in the courts or offices of the state from which they are taken. This applies to territories of the United States, and to other countries, as well as to the several states.

7. To revise and control any state laws respecting the laying of duties on imports and exports.

8. To declare what officer shall act as President in case of the removal, death, resignation, or inability of both President and Vice-President.

9. To vest the appointment of such inferior officers as it may think proper in the President alone, in the courts of law, or in the heads of departments.

The more important of these powers are discussed elsewhere.

**Execution of Powers.** Congress has power to make all laws which may be necessary for carrying into execution the powers granted to it by the Constitution, and all other powers vested by it in the government of the United States, or in any department or officer of the government.

Since the formation of the national government, statesmen of the strict-constructionist type have contended that this provision should be confined to those powers which have been expressly given to Congress by the Constitution, basing their argument upon the tenth amendment, which provides that the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people. Other statesmen have con-

tended that many powers are necessarily implied which Congress must assume in order to carry out the intent of the Constitution as expressed in its preamble—"to provide for the common defense" and "to promote the general welfare." Struggles have taken place in Congress upon this issue in connection with the chartering of the United States Bank (1791 to 1832); the appropriation of money by Congress for the building of the Cumberland Road to connect the Mississippi valley with the Atlantic seaboard; the levying of tariff duties for the purpose of "protection" and not "for revenue only;" the annexation of Louisiana and other foreign territory; and various other questions of less importance.

**Limitations of Power.** Certain limitations of the power of Congress are contained in the Constitution and its amendments. The following are the most important ones:

**The Slave Trade.** The Constitution provides that "the migration or importation of such persons as any of the states now existing shall think proper to admit" shall not be prohibited by Congress prior to 1808, but that a tax not exceeding ten dollars for each person may be imposed on such importation. This provision refers to the importation of slaves. The tax authorized was never imposed, but importation was prohibited after January 1, 1808, and in 1820 Congress declared the slave trade to be piracy.

**Habeas Corpus.** The privilege of the writ of *habeas corpus* cannot be suspended, except when, in cases of rebellion or invasion, the public safety may require it.

A writ of *habeas corpus* has for its object the prevention of false or unjust imprisonment. By it the prisoner accused of crime is brought into court, and the cause of his imprisonment is investigated. The writ is

also sometimes used to liberate persons confined in hospitals for the insane, or other places than prisons, and to obtain possession of children who are in the custody of persons not legally entitled to such custody.

This writ, like all others used at law, was formerly written in Latin and takes its name from the words *habeas corpus*, which were contained in the old writ, and which mean "you may have the body."

The writ of *habeas corpus* was suspended throughout the United States in case of deserters and other military offenders by authority of Congress in 1863. Prior to this, it had been suspended by the President in different portions of the country.

**Ex Post Facto Laws.** No bill of attainder or *ex post facto* law can be passed.

A bill of attainder inflicts death or other punishment, without a judicial trial, and, in countries where it is allowed, is usually passed without giving the accused an opportunity of defending himself.

An *ex post facto* law is one which makes an act a crime which was not so when the act was committed, or which inflicts a punishment greater than that imposed when the crime was committed. The expression applies only to criminal laws.

**Direct Taxes.** Capitation or other direct taxes can only be levied by Congress in proportion to population as shown by the census. This has been discussed under the head of "Powers of Congress."

**Duty on Exports.** No duty can be laid on articles exported from any state. If an export duty were laid the effect would be to increase the selling price of exported goods by a like amount, and thus make it more difficult for our people to compete with other traders in foreign markets.

**Coasting Trade.** No preference can be given, by any regulation of commerce or revenue, to the ports of one state over those of another; nor can vessels bound to or from one state be obliged to enter, clear, or pay duties in another.

**Expenditures.** No money can be drawn from the Treasury, except in consequence of appropriations made by law. A regular account of receipts and expenditures of all public money must be published from time to time. The Secretary of the Treasury reports annually to Congress, giving a full account of receipts and expenditures. This provision of the Constitution is really a restriction upon the expenditure of money by the executive department, and gives Congress full control of the expenditures as well as of the raising of all revenues.

**Titles of Nobility.** No title of nobility can be granted by the United States, nor can any person holding any office of profit or trust under them, without the consent of Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state. Titles of nobility are out of harmony with a republican form of government. Even those framers of the Constitution who most strongly favored the national government, as against the rights reserved to the states, were opposed to any aristocratic distinctions in connection with the government or among the people. In former times gifts which were of the nature either of bribes or of tribute passed between rulers and states. Such practices could not be tolerated by this country, and the Constitution wisely put a restraint upon all gifts from foreign rulers or powers.

**Civil Rights.** Congress can not pass drastic laws abridging freedom of speech or press. The right of the people to assemble peaceably, to petition the government

for a redress of grievances, or to carry arms can not be infringed.

These provisions are found among the first amendments to the Constitution, adopted in 1791. The demand for them by the people as a part of the supreme law of the land grew out of their experience and that of their forefathers with the English government. It must be remembered that freedom of speech and of the press means simply the right to discuss all matters of public interest freely and fully; it does not involve a license to say anything, anywhere, and at any time, regardless of the truth or falsity of the thing said, or of the intent or purpose of its utterance.

The constitutional right of the people to bear arms does not give a citizen a license to habitually carry a revolver or other deadly weapon. This provision refers to the right of the people of the several states to organize and equip themselves as militia, so as not to be dependent upon the regular army of the nation for the protection of their own affairs.

**Religious Freedom.** Congress can make no law respecting the establishment or prohibition of the free exercise of religion, nor can it require any religious test of any person as a qualification for the holding of any office.

## EXECUTIVE DEPARTMENT

**President.** The executive power is vested in the President of the United States of America. He is elected for four years.

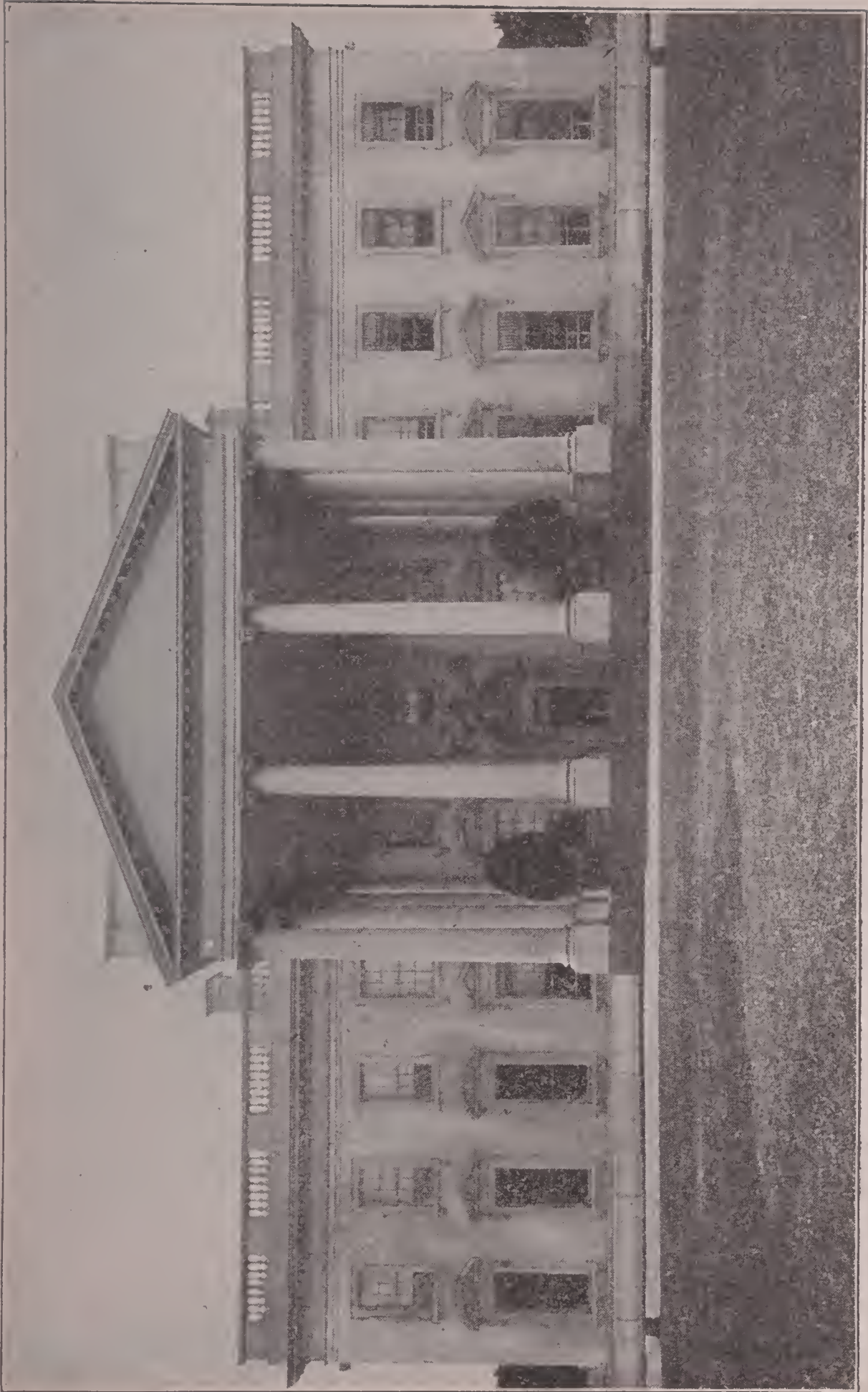
It was the purpose of the convention which framed the Constitution to make the executive as independent of the other departments as possible. And yet caution

was observed lest the executive, being free from restraint, might become autocratic and tyrannical. Some were in favor of making the executive consist of two or three persons elected from different parts of the Union, but a large majority wisely favored a single executive.

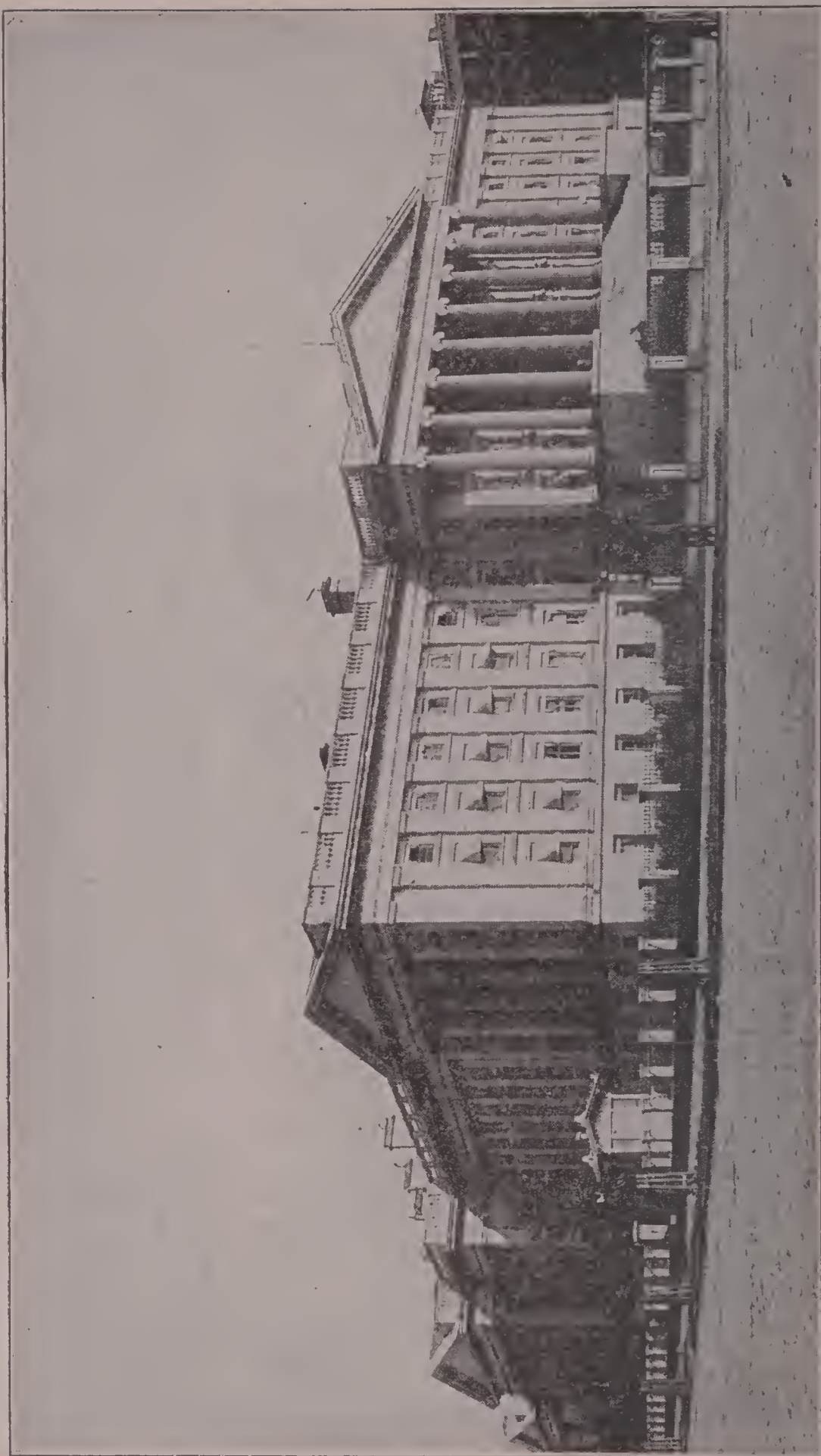
**How Chosen.** The President is chosen by electors, who are chosen by the several states on the Tuesday next after the first Monday in November of every fourth year.

Each state is entitled to as many electors as it has Representatives and Senators in Congress, and they are chosen in such manner as the state legislature may direct. No Senator or Representative, or person holding an office of trust or profit under the United States can be appointed an elector. In Illinois the electors are chosen by the people of the state, voting by general ticket. In this way, each voter casts his ballot for the number of electors to which the state is entitled. These electors are put in nomination by the several political parties at their state or district conventions.

The electors of the several states meet at their respective state capitols on the second Monday in January, and vote separately for President and Vice-President, both of whom cannot be from the same state as the electors. They then make separate lists of all persons voted for as President and Vice-President, showing the number of votes for each. The lists are signed, certified, and sent sealed to Washington, directed to the President of the Senate. On the second Wednesday in February, these lists are opened by the President of the Senate, in the presence of both houses of Congress, and the votes are counted. The person having the highest number of votes for President is declared President, and the person having the highest number of votes for Vice-President is



WHITE HOUSE, WASHINGTON, D. C.



THE UNITED STATES TREASURY, WASHINGTON, D. C.



declared to be elected Vice-President, provided that, in each case, the highest number of votes received is a majority of all the electors appointed. In case the highest number of votes for President is less than the required majority, the House of Representatives at once chooses, by ballot, a President from the persons (not exceeding three of those voted for as President) having the highest numbers. In choosing the President, the votes are taken by states, each state having one vote. A quorum for this purpose consists of one or more members from two-thirds of the states, and a majority of all the states is necessary to a choice. If no person has the required majority of electoral votes for Vice-President, the Senate chooses, from the two highest numbers on the list, a Vice-President. A quorum for this purpose consists of two-thirds of the whole number of Senators, and a majority of the whole number is necessary to a choice.

No person constitutionally ineligible to the office of President, is eligible to the office of Vice-President of the United States.

If the House of Representatives should fail to choose a President, whenever the right of choice falls upon it, before the fourth day of March next following, the Vice-President would act as President, as in case of the death or other constitutional disability of the President.

**Electoral Count Bill.** The Constitution makes no provision for cases in which there are two certificates of electoral votes from the same state.

In 1876 there were 369 electors and 185 were necessary to elect a President. Tilden and Hendricks received 184 votes, Hayes and Wheeler 164 votes, and four states—South Carolina, Florida, Louisiana, and Oregon—having a total of 21 votes, returned two certificates each. It then became necessary to decide not only which were

the legal returns from those states, but also who should determine which were legal.

The matter created much discussion, which was carried on amidst great excitement. After much delay and debate, Congress referred all the cases to an Electoral Commission, consisting of fifteen members—five Senators, five Representatives and five Justices of the Supreme Court. The cases were all decided by a vote of eight to seven in favor of Hayes and Wheeler, who were declared elected by an electoral vote of 185 to 184.

In 1887, Congress passed what is known as the Electoral Count Bill. The following are its leading provisions:

Each state may provide by law for the final determination, by judicial or other proceedings, of all cases of contest concerning the appointment of its electors. And if such provision be made by law prior to the day for appointing electors, and if all contests have been determined according to such law, at least six days before the time fixed for the meeting of the electors to cast their votes, such determination shall be conclusive, and shall govern the counting of the electoral votes so far as that state is concerned.

In case only one return is made by any state, no electoral votes which have been regularly given by electors whose appointments have been lawfully certified by the Governor can be rejected. But the two houses concurrently may reject the votes when they agree that they have not been regularly given by electors whose appointment has been legally certified.

In case more than one return is made by any state, only those votes shall be counted which have been regularly given by electors who are shown by the determination of the state tribunal to be duly appointed.

In case two or more returns from the same state claim to be thus determined by lawful tribunals, only the votes of those electors shall be counted whose title as electors the two houses, acting separately, shall determine to be supported by the decision of the state rendered according to its laws.

In case two or more returns are made by the same state, and no lawful determination has been made in the state, only those votes can be counted which the two houses concurrently decide are the lawful votes of legally appointed electors. But if the two houses disagree with respect to the counting of the votes, the votes of the electors whose appointment is certified by the Governor of the state are counted.

**The Electoral System.** Whatever may be the merits or demerits of the system by which the President is chosen by electors, it is certain that it does not realize the objects sought by the framers of the Constitution. They wished to avoid the "heats and ferments" of elections of President by a popular vote, and also to make the President entirely independent of the body choosing him. The supposition was that under the system adopted, the electors would be free and untrammelled when they met to cast their votes, and that each would vote for the candidate who seemed to him to be best qualified, all things considered. But such has not been the case since 1796. In order to fully understand the system which now prevails it is necessary to consider two elements which exist without any provision of constitution or of law, but which really control the entire matter.

**National Conventions.** National nominating conventions are mere party measures, but they are governed by fixed rules which have grown up since 1832. Each party

has a regular committee which calls its convention in a prescribed manner. The convention nominates party candidates for President and Vice-President, and adopts a declaration of party principles called a "platform." The statement of the platform upon a particular subject or issue of the campaign is called a "plank." The candidates nominated are expected to "stand squarely upon the platform."

**Advisory Vote on Candidates for President.** During the campaign of 1912 many states, including Illinois, passed laws providing for an advisory vote on the President to be held under the primary election laws of the state.

**State Electoral Tickets.** The state organization of every political party participating in the national election nominates two electors-at-large—that is, chosen from the entire state—and an elector from each congressional district. The men thus nominated make up the electoral ticket for that state, and are voted for as a portion of the party ticket at the ensuing election.

The electors of the party which is successful in any state constitute what is called the "Electoral College" of that state, and from the time of their election are governed by the Constitution, and the laws of their state and of Congress as hereinbefore given.

By means of this party machinery the electors are pledged in advance to vote for a particular party candidate for President and also for Vice-President. It is difficult to see how the "heat and ferment" of our national campaigns could be much greater under any other system of choosing a President.

**Eligibility.** The President must be a natural born citizen of the United States and at least thirty-five years of age. The same is true of the Vice-President.

Residence abroad on official duty, as that of an ambassador or minister, is not a disqualification.

**Presidential Succession.** In case of the removal of the President from office, or of his death, resignation, or inability to perform the duties of office, the Vice-President, if there be one, takes the oath of office, and becomes President. If there should be no Vice-President, the duties of the President devolve upon the Secretary of State, and in case of his death, resignation, or removal from office, upon the Secretary of the Treasury, and so on through the cabinet officers, the succession being in the order in which the offices were established by Congress; viz., Secretary of State, Secretary of the Treasury, Secretary of War, Attorney-General, Postmaster-General, Secretary of the Navy, Secretary of the Interior. The law concerning the presidential succession applies only to such cabinet officers as have been appointed with the consent of the United States Senate, and such as are eligible to the office of President under the Constitution.

Prior to 1886, the order of succession after the Vice-President was president *pro tempore* of the Senate, and speaker of the House of Representatives. But it sometimes happens that these offices are both vacant at the same time, on account of the fact that one Congress ends on the fourth of March, and the next does not regularly meet and elect officers until the first Monday in the following December. On this account, chiefly, Congress changed the presidential succession to the members of the cabinet in the order indicated. By this arrangement, the successor to the presidency is sure to be of the same political party as his predecessor.

When the office of President becomes vacant the Vice-President takes the oath of office and becomes President. But when a vacancy occurs in the office of

Vice-President, it continues until the next presidential election.

**Oath.** Before entering upon the duties of his office, the President solemnly swears (or affirms) that he will faithfully execute the office of President of the United States, and will, to the best of his ability, preserve, protect, and defend the Constitution of the United States.

The Constitution and laws merely fix the date and prescribe the oath to be taken in connection with the President's inauguration. It is customary for the President to deliver an inaugural address before taking the oath of office, and for the Chief Justice to administer the oath; but the address is not required of the President, and any magistrate who has power to administer oaths could lawfully act upon this occasion.

**Commander-in-Chief.** The President is Commander-in-Chief of the army and navy of the United States, and of the militia of the several states when they are called into the actual service of the United States. The President has never taken command of the army or navy in person, but has delegated his authority to officers whom he chose for that purpose.

Although great authority is given the President in making him Commander-in-Chief of the army and navy, yet so many safeguards were provided in the Constitution as a whole, that the President, were he so disposed, could not long use the military power of the country against the liberties of the people without the consent of Congress.

**Reprieves and Pardons.** The President has power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment. The Supreme Court has held that the President may commute a sentence of death to imprisonment for life.

In cases of impeachment it was considered that the power to pardon would be liable to abuse, and for this reason a judgment in impeachment proceedings cannot be changed or set aside by any pardoning power. But the giving of a pardoning power to the executive in all other cases of offenses against the government is a wise and humane provision of the Constitution.

**Treaties.** The President has power, with the consent of the Senate, to make treaties. A treaty is an agreement between two or more sovereign nations.

When a treaty is made, the President acts through the Secretary of State, or an ambassador appointed for the purpose. This officer agrees with the representative of the other nation upon the terms of the treaty, and after it has been signed by them, it is submitted for the ratification of the respective governments. Accordingly, the President presents the treaty to the Senate for its ratification. While discussing a treaty, the Senate sits with closed doors. This is called "going into executive session." If two-thirds of the Senate present concur in the ratification of the treaty, and it is ratified by the other nation, the President, by proclamation, makes the treaty public, and it becomes a part of the supreme law of the land.

In the case of the war with Spain, the representatives of the two nations first signed a "protocol," or preliminary agreement, according to which further negotiations were to be carried on until a final treaty should result.

**Executive Appointments.** The President nominates, and, with the consent of the Senate, appoints ambassadors, other public ministers, consuls, judges of the Supreme Court, and all other officers of the United States, that are not otherwise provided for. Nominations made by the President are presented to the Senate in

writing, and are acted upon by that body in "executive session." Only a majority is necessary to confirm appointments.

A minister of the government is a person who represents it, and manages its interests at the seat of government of some other power. A minister of the highest rank is called an ambassador.

A consul resides in a foreign country, and acts as agent for his government, protecting its rights, commerce, merchants, seamen, and its citizens while sojourning in such foreign country.

The Constitution says nothing in regard to removals from office. The First Congress decided, by a close vote, that the President might remove an officer without consulting the Senate. In 1867, however, Congress passed what is known as the "Tenure of Office Bill," which provided that the President might suspend an officer, when the Senate was not in session, reporting his action with the reasons for it to the Senate within twenty days after its assembling. If the Senate should not concur, the suspended officer was to be reinstated; if it should concur in the removal, another person might be appointed. The bill was vetoed by President Johnson but was passed over his veto by Congress. The President afterward removed Edwin M. Stanton, Secretary of War, after the Senate had refused to concur in his removal. This was the chief cause of the articles of impeachment which the House of Representatives brought against Johnson. After a trial lasting nearly three months, the Senate found the President not guilty. The Tenure of Office Bill is not now in force.

While the Senate is in session, the President can now remove an officer by nominating and, with the consent of the Senate, appointing his successor. In such case the



person appointed does not receive his commission, nor the incumbent vacate his office, until the nomination of the appointee has been confirmed. If the Senate is not in session, the President can remove an officer by appointing his successor, who at once receives his commission and begins the duties of the office. If, at its next session, the Senate refuses to confirm the nomination, the President nominates another person, but the removal stands in either case. When vacancies occur in the recess of Congress the procedure is the same as in the case of removals made in the recess.

**The Civil Service.** The officers of the national government who are appointed pursuant to law, together with persons employed to perform routine duties in the various departments, constitute what is known as the civil service. Since the Civil War much has been said about "civil service reform." The "civil service reformers" contend that all inferior officers and employees who perform routine duties should be appointed with sole reference to their fitness, and during good behavior. Since 1883 we have had the "civil service law," which provides that positions in the departments, custom houses, and the large postoffices shall be filled, and promotions in cases of vacancies shall be made under the merit system, the leading feature of which is the competitive examination which all candidates must undergo. In the absence of the merit system, appointments have usually been made for reasons which take but little account of personal fitness. Sometimes appointments have been made to punish political enemies, sometimes to reward political friends, sometimes to promote personal ends, and usually to strengthen the party in power. In defending this practice on the part of the politicians of the State of New York, William L. Marcy, of that

state, said in the United States Senate: "They [the politicians] see nothing wrong in the rule that to the victors belong the spoils of the enemy." Since then this practice has been known as the "spoils system."

**The President's Message.** The President must, from time to time, give to Congress information of the state of the Union, and recommend for consideration such measures as he may deem necessary and expedient.

It has become the custom for the President to send a message to Congress at the beginning of each regular session. Accompanying this are the reports of the various executive departments. Special messages are sent by the President whenever he deems them expedient, or when Congress has requested information upon some subject.

Presidents Washington and Adams delivered their messages in person to both houses assembled in the Senate chamber, and each house afterwards presented a formal reply. President Jefferson, however, sent his messages to Congress, and they were read to each house by its clerk. His example has been followed by all other Presidents with the exception of President Wilson, who returned to the custom of Presidents Washington and Adams in reading his messages to Congress in person. No replies are now made by Congress.

**President's Veto.** Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives is necessary (except on a question of adjournment) must be presented to the President, and before it can take effect, must be approved by him, or, being disapproved by him, must be re-passed by two-thirds of the Senate and House of Representatives. When a bill is passed by both houses, it is sent to the President for his signature. If he wishes the bill to

become a law, he signs it, and so makes it a law. But if he does not wish it to become a law, he does not sign it, but sends it back to the house in which it originated. He sends with it his objections, which are written in the journal of this house, and the bill is again taken up. This time, in order to pass, it must receive the favorable vote of two-thirds of this house. If it receives this vote, it is sent, together with the objections of the President, to the other house. A vote of two-thirds of this house makes it a law without the signature of the President. In all such cases, the vote of each house must be by yeas and nays, and be entered upon the journal.

If the President does not return the bill within ten days (Sundays not counted) after it is sent to him, it becomes a law just as if he had signed it, unless Congress adjourns before the ten days are up, and so prevents its return.

The discussion about the President's veto applies to that of the Governor of Illinois, with two exceptions. A vote of two-thirds of a *quorum* in each house of Congress will pass a bill over the President's veto, while in this state a vote of two-thirds of all the *members elected* to each house is necessary to pass a bill over the Governor's veto.

After the adjournment of Congress, all bills not signed by the President before the time of adjournment fail to become laws, although the President may have no objection to them. After the adjournment of our state legislature, the Governor has ten days in which to file bills, with his objections, in the office of the Secretary of State. All bills that are not so filed become laws, whether signed by the Governor, or not.

**Other Powers and Duties.** The President receives ambassadors and other public ministers, commissions all

officers of the United States, and takes care that the laws are faithfully executed.

**Executive Departments.** The executive business of the United States is arranged under ten departments. Nearly all of these departments are subdivided into bureaus. The Constitution does not prescribe the number, names, nor functions of these departments.

**Heads of Departments.** The heads of the departments are appointed by the President, and confirmed by the Senate. The President may require their written opinions on any subject relating to the duties of their respective offices.

The salary of each is \$12,000 a year.

**Department of State.** The Department of State, at the head of which is the Secretary of State, has charge of our relations with foreign countries, and of the public archives.

The Secretary of State countersigns all proclamations issued by the President. He is keeper of the great seal of the United States, and affixes the seal to all commissions given by the President. He has charge of the correspondence with foreign ministers, and presents such ministers to the President. He has various other important duties.

The Department of State ranks first in point of dignity, and the Secretary of State is the head of the President's cabinet. His office is usually regarded as next in importance to that of the President.

The Department of State has three bureaus.

**The Diplomatic Bureau.** This bureau embraces all matters pertaining to our diplomatic relations with foreign powers. The diplomatic service is carried on by the Secretary of State through our ministers, who are of four different ranks, as follows:

**Ambassador.** Ambassadors extraordinary and plenipotentiary are diplomats of the highest rank. We send them to thirteen countries: Great Britain, France, Germany, Japan, Mexico, Belgium, Italy, Argentine Republic, Brazil, Chile, Peru, Spain, and Turkey. An ambassador's salary is \$17,500 a year.

**Envoys Extraordinary and Ministers Plenipotentiary.** We send envoys extraordinary and ministers plenipotentiary to thirty-five governments. The envoys to China, Cuba, Poland, Luxemburg, and the Netherlands receive \$12,000 a year each. Envoys receiving \$10,000 a year each are sent to the following countries: Austria, Bolivia, Bulgaria, Czecho-Slovakia, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Finland, Greece, Guatemala, Haiti, Honduras, Hungary, Montenegro, Nicaragua, Norway, Panama, Paraguay, Persia, Portugal, Roumania, Salvador; Kingdom of Serbs, Croats, and Slovenes; Siam, Sweden, Switzerland, Uruguay, and Venezuela.

**Ministers Resident.** Nearly all ministers resident have been raised to the rank of envoys extraordinary and ministers plenipotentiary. Those of lesser rank are usually given the title of consul general and sent to the smaller countries at yearly salaries ranging from \$4,000 to \$7,000.

**Secretaries of Embassy and Legation.** A secretary of embassy appointed to do the clerical work of the embassy, is sent to every government to which an ambassador is accredited. A secretary of legation performs a like service for every envoy or minister.

**The Consular Bureau.** This bureau has charge of all matters pertaining to our consular service. Consuls are not diplomats, but rather commercial agents of our government. Their duty is to watch over our commercial interests in the foreign ports to which they are

sent, and to protect the rights of seamen. They also take possession of the personal property of American citizens who die abroad.

Consuls collect fees, but in most cases these are accounted for to the government, and the consuls receive salaries ranging from \$1,000 to \$6,000 a year. Those who receive salaries cannot transact any business for themselves.

**The Domestic Bureau.** This bureau has charge of all matters of state which are purely of domestic concern.

**Treasury Department.** Since the issuing of the paper money, called greenbacks, and the establishment of the national banking system, the importance of the Treasury Department has been largely increased. It is now the most complex and extensive of all the executive departments, and is under the charge of the Secretary of the Treasury. Immediately under the Secretary of the Treasury are the following officers: The Comptroller, the Auditor, the Treasurer, the Register, and the Assistant Secretary.

This department manages and superintends the collection of the public revenue, issues warrants for money to be drawn from the treasury in pursuance of appropriations made by law, and has general charge of the management of the finances of the nation.

There are two bureaus in the office of Comptroller, and six bureaus in the office of the Auditor. In addition to the officers named above, there is a Commissioner of Customs, a Commissioner of Internal Revenue, a Director of Statistics, a Director of the Mint, and a Director of the Bureau of Engraving and Printing.

There are two Comptrollers of the Treasury. They examine the accounts that have been passed upon by the Auditors and certify them to the Register.

The Register is the book-keeper of the national government. His books show all receipts and expenditures.

The Treasurer receives and keeps all moneys of the United States; and pays them out upon proper warrants.

The Commissioner of Customs supervises the collection of duties at the custom houses.

The Comptroller of the Currency has supervision of the circulation of national banks.

The Commissioner of Internal Revenue has charge of the collection of taxes upon tobacco, malt, and spirituous liquors, and sees that all stamp taxes or duties upon written instruments, patent medicines, etc., are duly paid and the stamps canceled pursuant to law. The duties of the Directors of the Mint, Bureau of Statistics, and of the Bureau of Engraving and Printing may be inferred from their titles.

**Department of War.** The Secretary of War is at the head of this department. Under the President, he has charge of the affairs of the army. He has the custody of all records of the army, superintends the purchase of military supplies, directs matters of army transportation, oversees the work of the signal service and the improvement of rivers and harbors, and attends to the supply of arms and munitions of war.

The military academy at West Point is under the supervision of the War Department. To this academy are appointed cadets, there being one from each congressional district, one from each territory, one from the District of Columbia, and ten from the United States at large. By law these appointments are all made by the President, but, practically, those from the congressional districts are recommended by the respective Representatives in Congress to the Secretary of War, who nominates them to the President. The selection is some-

times made by competitive examination. Cadets must be between the ages of seventeen and twenty-two, and must pledge themselves to serve eight years unless sooner discharged. The entire expense of the academy is paid by the national government.

**Department of Justice.** The Department of Justice, at the head of which is the Attorney-General, has general charge of the legal affairs of the nation. The Attorney-General prosecutes all suits in the Supreme Court in which the United States is interested, and gives his advice and written opinions upon questions of law to the President and the heads of departments, when such questions pertain to the duties of their offices. These opinions are afterward printed for reference.

**Post Office Department.** The Post Office Department, at the head of which is the Postmaster-General, has general charge of the carrying of the United States mails.

In the early days of the republic the rate of postage was not uniform throughout the United States as at present. At one time the rate upon ordinary letters was five cents to any office within thirty miles, ten cents for a greater distance, and from that up to twenty-five cents, for which sum a letter could be sent across the continent. Postage was not then paid in advance, but by the person who received the letter. Later a law was passed which provided for a postage rate of three cents upon letters for transmission to any point in the country, provided the postage was prepaid; if not prepaid the rate was five cents. In this way the people became accustomed to the prepayment of postage, and finally this was required by law.

The Postmaster-General controls more patronage than any other executive officer.

**Department of the Navy.** The Department of the



Navy, at the head of which is the Secretary of the Navy, has charge of the navy and the naval academy at Annapolis. Cadets for the naval academy are of the same number and are appointed in the same manner as those for the military academy. The cadets must not be less than fourteen, nor more than eighteen years of age.

**Department of the Interior.** The Department of the Interior has charge of the granting of patents and pensions, of the public lands, of Indian affairs, of the taking of the census, and of educational affairs. The Secretary of the Interior is at the head of this department. It is a department largely made up of offices which formerly belonged to other departments.

The patent office is under the charge of the Commissioner of Patents.

The Commissioner of Pensions has charge of the pension office.

The land office is under the charge of an officer styled the Commissioner of the General Land Office.

Under the Secretary of the Interior there are also the Commissioner of Indian Affairs, the Superintendent of the Census, and the Bureau of Education.

**Department of Agriculture.** The Department of Agriculture collects and preserves information concerning agriculture. It also collects seeds and plants, tests them, and distributes them and information concerning agriculture among farmers and other interested persons.

These duties were formerly performed by the Bureau of Agriculture of the Department of the Interior. The bureau was changed to an independent department in 1889. The head of this department is the Secretary of Agriculture.

**Department of Commerce.** This department was created in 1903 as a part of a Department of Commerce and

Labor. In 1913 the Department of Commerce became a separate department and its head is the Secretary of Commerce.

The function of this department is not clearly defined by law. It is worthy of note that the Interstate Commerce Commission, which is more closely related to domestic commerce than any other part of the national government, remains independent of the new Department of Commerce, while the consular service, which is more closely related to foreign commerce than any other bureau of the government, remains in the Department of State. The Department of Commerce has several bureaus, among which are those of corporations and of manufactures.

**Department of Labor.** In 1913 Congress created a separate Department of Labor. It is under the charge of a Secretary of Labor, and its purpose is to foster, promote, and develop the welfare of wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment. The principal bureaus of this department are those of immigration, naturalization, and labor statistics.

**President's Cabinet.** The heads of the several departments form what is known as the President's cabinet. They advise him, when asked to do so, upon the various matters pertaining to the departments. Cabinet meetings are held at the request of the President, at which the more important matters of the government are discussed. The President is free to carry out the recommendations of the cabinet, or not, as he sees fit.

The cabinet, as such, has no legal existence, and performs no legal duties. It is not mentioned in the Constitution. Washington called the heads of departments together for consultation, and the practice has been kept

up by his successors. No record is kept of the proceedings of the cabinet, they being merely of an advisory nature.

**President's Salary.** The President receives for his services a compensation which can neither be increased nor diminished during the term for which he is elected, and he cannot receive within that period any other emolument from the United States, or from any state.

The President receives \$75,000 a year as salary, \$25,000 for traveling expenses, and \$50,000 for maintenance of the White House.

The Vice-President receives \$12,000 a year.

## JUDICIAL DEPARTMENT

**Judicial Power.** The judicial power of the United States is vested in one Supreme Court, ordained by the Constitution, and in such inferior courts as Congress may from time to time establish.

The judicial power extends to:

(1) All cases in law and equity arising under the Constitution, the laws of the United States, and treaties made under their authority.

(2) All cases affecting ambassadors and other public ministers, and consuls.

(3) All cases of admiralty and maritime jurisdiction.

(4) Controversies to which the United States is a party.

(5) Controversies between two or more states.

(6) Controversies between a state and the citizens of another state.

(7) Controversies between citizens of different states.

(8) Controversies between citizens of the same state claiming lands under grants of different states.

(9) Controversies between a state, or the citizens thereof, and foreign states, citizens or subjects.

At the time of the adoption of the Constitution the states were unwilling to be sued by citizens of other states, domestic or foreign. This was contrary to the prevailing notions of the rights and dignity of a state in case of a controversy between it and a private person. It was at first claimed that the sixth and ninth clauses given above did not apply to suits brought against states, but to those brought by the states themselves. That is to say, that a state could go to law voluntarily as a plaintiff, but could not be forced into court as a defendant without its consent. This view, however, was decided by the Supreme Court of the United States to be erroneous, and it was held that a citizen could sue a state in the national courts. Thereupon Congress proposed, and a sufficient number of states ratified, an amendment to the Constitution—the eleventh—which provides that the judicial power must not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign states.

**Personal Rights.** No person can be twice put in jeopardy of life or limb, or be compelled to be a witness against himself, or be deprived of life, liberty, or property, without due process of law. In all criminal trials, the person accused has the right to a speedy and public trial by an impartial jury of the state and district in which the crime has been committed. He must be informed of the nature and cause of the charge against him, and be allowed to meet the witnesses against him face to face. He must also have process to compel witnesses to appear in his favor, and the assistance of coun-

sel for his defense. The Constitution further provides that excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

All of these provisions were inserted in the Constitution, or its amendments, in order to guard against abuses which had existed under the government of England. Formerly, in that country, men were imprisoned and put upon trial for crimes of which they had been previously acquitted. Prisoners were tortured into testifying of their own guilt when put upon trial for criminal offenses. Men were condemned to death or imprisonment without lawful trials, and their property was confiscated in arbitrary and unlawful ways. There was a "due process of law" for all these things, but it was ignored and evaded. In this country the laws are generally observed by the people, although every person who is "lynched" is deprived of life without due process of law. The former abuses in England, however, were participated in by the officers of the law, and not merely by mobs acting in defiance of the law and its officers. In England in former times persons accused of crime were kept imprisoned in places remote from the place of the alleged crime, and for long spaces of time without the privilege of communication with relatives, friends, or counsel. Even when brought into court they were often kept in chains, and were not allowed to testify, to be represented by counsel, or to cross-examine the witnesses produced against them. They could not compel the attendance of witnesses in their favor, or even call them to the stand if they were present, prior to 1688.

**Trial by Jury.** The trial of all crimes, except in cases of impeachment, must be by jury. The trial must be held in the state where the crimes have been committed, or,

when not committed within any state, the trial must be at such place as Congress has, by law, directed.

In suits of common law, in cases where the amount in dispute is more than twenty dollars, the right of trial by jury must be preserved.

In England a man now has a right to be tried by a jury of his peers—that is, by persons of equal rank. In this country, there being no nobility, the right of a man to “the judgment of his peers” means a trial by an impartial jury. The verdict of the jury must be unanimous in order to convict.”

**Treason.** Treason against the United States consists only in levying war against them, or in adhering to their enemies—giving them aid and comfort. No person can be convicted of treason except on the testimony of two witnesses to the same overt act, or on confession in open court. A private confession has no effect.

Congress has power to declare the punishment of treason, but no attainder of treason can work corruption of blood, or forfeiture, except during the life of the person attainted.

In England, for punishment of treason, besides the cruel death which was inflicted, there was an *attainder* or *stain*, which had the effect not only of forfeiting the property of the person convicted to the state, but of preventing his children from inheriting property through him. Such an attainder is prohibited in this country.

Aaron Burr, tried for treason in 1807, was acquitted.

**Indictment by Grand Jury.** Before a person can be brought to trial for offenses against the United States he must be indicted by a grand jury, except in cases which arise in the army and navy, or in the militia when in actual service in time of war or public danger.

Instead of the indictment, the grand jury may make

a presentment, which is a charge made by them from their own knowledge, or from evidence before them, without the formal accusation drawn up by the prosecuting attorney.

**Judges.** All federal judges are appointed by the President, with the consent of the Senate, and hold office during good behavior. They can be removed from office only by impeachment.

Any judge of any court of the United States who has held the office for ten years, and has attained to the age of seventy years, may resign his office, and yet receive the same salary during life that was paid to him at the time of his resignation.

The compensation of federal judges cannot be diminished during their continuance in office.

The fact that they hold office during good behavior makes the judges independent of the President and the Senate who appoint them, and the fact that Congress cannot punish the judges indirectly, by reducing their salaries, in case they should declare a law unconstitutional, or otherwise render a decision which might displease the members of that body, has a similar effect on the relations of the judges and Congress.

In case a judge should become incapacitated from either mental or physical infirmities, he could be removed only by impeachment. But with the foregoing provision for their retirement by resignation upon full salary after they shall have served ten years and shall have attained the age of seventy years, no difficulty arising from infirmity is very likely to occur.

#### SUPREME COURT

**Jurisdiction.** The United States Supreme Court has

original jurisdiction in all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be a party. In all other cases mentioned under the head of Judicial Power (except where exceptions have been made by Congress), it has appellate jurisdiction.

A case arising in state courts under state laws can be carried to the Supreme Court of the United States when it involves the question as to whether or not a state law involved in the case is contrary to the Constitution of the United States. Many more state laws have been declared by the Supreme Court to be unconstitutional than laws enacted by Congress.

**Judges.** There are nine judges of the United States Supreme Court—a Chief Justice and eight Associate Justices.

**Salaries.** The judges of the United States Supreme Court receive \$14,500—except the Chief Justice, who receives \$15,000 a year.

#### CIRCUIT COURTS OF APPEAL

**Jurisdiction.** These courts, which were created by an act of Congress in 1891, have appellate jurisdiction only. They can review, on appeal or writ of error, the final judgments or decrees of the United States District Courts in all cases other than those which are directly reviewable by the Supreme Court, and their decisions are final in many instances. They were created to relieve the crowded condition of the docket of the Supreme Court, which was said to be about three years in arrears at that time.

**Judges.** There is a circuit court of appeals in each of the nine circuits into which the United States is divided,



each court consisting of three judges, two of whom constitute a quorum. No judges, however, are appointed for these courts, but the justices of the Supreme Court, the circuit judges, and the several district judges are competent to sit as judges of the circuit courts of appeals within their respective circuits. The district judges do not sit, however, except in the absence of one of the other judges. The sessions of this court for the Seventh Circuit, in which Illinois is located, are held at Chicago.

**Judicial Circuits.** The United States is divided into nine judicial districts. From two to four circuit judges are appointed in each circuit. Since January 1, 1912, they do not hold circuit courts as formerly, but sit as judges in the federal circuit court of appeals and in the new commerce court. The nine judges of the United States Supreme Court apportion the nine circuits among themselves. They may also sit as judges in the court of appeals.

Each circuit judge receives \$7,000 a year.

#### DISTRICT COURTS

**Jurisdiction.** The jurisdiction of district courts extends to the trial of all crimes committed within the district against the United States. In civil cases the jurisdiction of the district courts is general.

**Judges.** The United States is divided into about eighty-seven districts for the purpose of holding district courts. The number of district judges does not correspond to the number of districts, as, in some cases, several judges serve in the same district, while in a few cases, one judge is appointed for two or more districts.

**Salaries.** District judges receive \$7,500 a year each.

## COURT OF CLAIMS

**Jurisdiction.** For a sovereign state or nation to be sued would be a contradiction of the idea of enlightened sovereignty. For if it could be sued in the courts of another state or nation, it would not be sovereign, and if in its own courts, that would imply that it was unwilling to do justice without coercion. The suitor would be asking a sovereign power to coerce itself.

Formerly claims against the United States were presented to the respective executive departments, and if they could not be adjusted there, application for relief could only be made to Congress, which had no adequate means of determining the matter. The delays incident to this procedure often amounted to a complete denial of justice. For this reason a court of claims was created by Congress and is now given power to adjudicate all classes of claims against the United States, except pensions. Congress appropriates money to pay the claims allowed.

**Judges.** The court has five judges. The chief justice receives \$8,000 a year and each of the associate justices, \$7,500 a year.

## MISCELLANEOUS

## RIGHTS OF THE STATES

**Representation.** Each state is entitled to at least one Representative in the House of Representatives, and no amendment to the Constitution can be made which will deprive any state, without its consent, of its equal suffrage in the Senate.

**Citizenship.** The citizens in each state are entitled to all the privileges and immunities of citizens in the sev-

eral states. A state is not bound to confer upon a person coming into it all the rights and privileges which he might enjoy in some other state, but only such as it gives to its own citizens. Thus a man who cannot read loses the right to vote by moving from Illinois to such a state as Massachusetts or Connecticut, where inability to read is a bar to voting.

**Protection.** The United States guarantees to every state a republican form of government, and protects it from invasion and domestic violence on the application of the legislature of the state, or the Governor when the legislature cannot be convened.

**Requisitions.** If a person charged in any state with treason, felony, or other infamous crime, flees from justice and is found in another state, he must, on the demand of the Governor of the state from which he fled, be delivered up, to be removed to the state which has jurisdiction of the crime. The writ issued by the Governor of a state demanding or requesting of the Governor of another state the surrender of a person accused of a crime committed in the former state is called a "requisition," and the person wanted is called a "fugitive from justice." The whole procedure of removing a person from one state to another for trial by requisition is called "extradition."

The United States has treaties with almost all other nations and countries whereby persons accused of crime are delivered up for trial by means of extradition.

**Rights Reserved.** The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states or to the people, and the enumeration of certain rights must not be construed to deny or disparage others retained by the people.

## LIMITATIONS ON THE STATES

**Alliances Prohibited.** No state can enter into any treaty, alliance, or confederation, or enter into any agreement or compact with another state, or with a foreign power, without the consent of Congress. The national government could not exist if the several states could enter into treaties or alliances with foreign states—in fact, the United States would not then be recognized as a nation having sovereign power.

**Money.** No state can coin money, emit bills of credit, make anything but gold and silver coin a legal tender in payment of debt, or pass any law impairing the obligations of contracts.

For a state to emit bills of credit would be for it to issue paper pledging its faith for the payment, and designing such paper to circulate as money.

Any kind of money is legal tender when a debtor can compel his creditor to accept such money in satisfaction of a debt. Congress has made paper money a legal tender, but the states cannot do this. If they could, it would result in so many different kinds of money as to cause endless confusion.

**War.** No state can grant letters of marque and reprisal. Neither can it, without the consent of Congress, keep troops or ships of war in time of peace, nor engage in war unless actually invaded, or in such imminent danger as will not admit of delay. This does not prevent the states from maintaining militia. The second amendment to the Constitution states that “A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.”

**Duties.** No state can, without the consent of Congress, lay any duty of tonnage, or any duties on exports or imports, except what may be absolutely necessary for executing the inspection laws. The net proceeds of all such duties are held for the use of the Treasurer of the United States.

If the states on the seacoast could levy duties for the purposes of revenue, it would be a constant source of confusion, jealousy, and strife, not only among such states, but between them and all others not so situated.

**Civil and Personal Rights.** All persons born or naturalized in the United States, and subject to their jurisdiction, are citizens of the United States and of the states in which they reside, and no state can make or enforce any law which shall abridge the privileges or immunities of citizens of the United States. No state can deprive any person of life, liberty, or property, without due process of law, or deny to any person within its jurisdiction the equal protection of the laws.

No state can pass any bill of attainder or *ex post facto* law.

**Title of Nobility.** No state can grant any title of nobility.

**Illegal Debts.** A state cannot assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or for the loss or emancipation of any slave.

#### GENERAL PROVISIONS

**Admission of States.** Congress may admit new states into the Union, but no new state can be formed within the jurisdiction of any other state, or by the junction of two or more states, without the consent of the legislatures of the states concerned, as well as of Congress.

**Amendments to the Constitution.** Whenever two-thirds of both houses may deem it necessary, Congress must propose amendments to the Constitution; or, on application of the legislatures of two-thirds of the states, must call a convention for proposing amendments. Amendments proposed in either of these ways are valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states, or by conventions in three-fourths of the states, as the one or the other mode of ratification may be proposed by Congress. But no amendment can be made which will deprive any state, without its consent, of its equal suffrage in the Senate.

Nineteen amendments to the Constitution have been adopted. The first ten were proposed by the First Congress; and were ratified in 1791. Taken together, they constitute what is called a "Bill of Rights."

The eleventh amendment limits the jurisdiction of the national judiciary. The twelfth changes the mode of electing the President and Vice-President. The thirteenth amendment abolishes slavery in the United States. The fourteenth declares the emancipated slaves to be citizens, invests them with full civil rights, prescribes the manner of apportioning the Representatives among the states, places a political disability upon all persons who, having sworn to support the Constitution, afterward engaged in rebellion against the United States, and provides that such disability may be removed by a two-thirds vote in both houses of Congress. The fifteenth provides that the right of citizens of the United States to vote cannot be denied or abridged on account of race, color, or previous condition of servitude. The sixteenth amendment provides that Congress shall have power to

lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration. The seventeenth amendment provides for the election of United States Senators directly by the people. The eighteenth amendment prohibits the manufacture, sale and transportation of intoxicating liquors. The nineteenth amendment confers upon women equal suffrage with men.

**Supreme Law.** The Constitution of the United States, the laws made in pursuance of its provisions, and all treaties made under the authority of the United States, constitute the supreme law of the land. The judges in every state are bound by these, notwithstanding anything which may be in the Constitution or laws of any state.

**Personal Rights.** No soldier can, in time of peace, be quartered in any house without the consent of the owner, or in time of war, except in the manner provided by law.

The people have the right to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures. Warrants cannot be issued except on probable cause, supported by oath (or affirmation), and particularly describing the place to be searched, and the persons or things to be seized.

**Slavery.** Neither slavery nor involuntary servitude, except as a punishment for crime of which the person is duly convicted, can exist within the limits of the United States, or in any place subject to its jurisdiction.

**Public Debt.** The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for service in suppressing insurrection and rebellion, cannot be

questioned. The United States cannot assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave.

#### THE COUNCIL OF NATIONAL DEFENSE

Congress, 1916, in the Army appropriation bill, created the National Council of Defense and its Advisory Commission. It consists of six members of the President's Cabinet; the Secretary of War who is its president, Secretary of the Navy, Secretary of Agriculture, Secretary of the Interior, and the Secretary of Labor. This council is not charged with the duty of laying down a policy of National defense so much as of discovering what our resources are and determining how they may be most effectively employed.

This council was directed by Congress to nominate to the President an advisory council of seven persons, "each of whom shall have special knowledge of some industry, public utility, or the development of some natural resource, or be otherwise specially qualified."

For this Advisory Commission have been selected the president of a great railway system, the president of the American Federation of Labor, the vice-president of a great retail mercantile company, a member of a great banking firm and the president of Drexel Institute.

#### DUTIES OF THE COUNCIL

In the language of President Wilson, "One of the objects of the council will be to inform American manufacturers as to the part they can and must play in national emergency. It is empowered to establish at once and maintain through subordinate bodies of specially qualified



persons an auxiliary composed of men of the best creative and administrative capacity, capable of mobilizing to the utmost the resources of the country.

### QUESTIONS AND TOPICS FOR STUDY

1. In studying the national government, compare and contrast it with the state government at every point. 2. (a) When were the Articles of Confederation adopted by Congress? (b) When ratified by the states? (c) Give at least three marked defects. 3. (a) When and by whom was the Constitution of the United States prepared and adopted? (b) When ratified by the states?

4. (a) State the qualifications of Representatives. (b) Of Senators. 5. How many Representatives has Illinois? 6. (a) In what congressional district do you live? (b) Who is the Representative from that district? (c) When was he elected? 7. (a) Who are the present Senators from Illinois? (b) When elected?

8. Fully describe the election of a President of the United States, giving particulars concerning electors and the electoral vote. 9. What are the qualifications of the President? 10. (a) Who is now President? (b) When elected? 11. Name the present cabinet officers. 12. (a) To what political party does the President belong? (b) What political party at present controls the Senate? (c) The House of Representatives?

13. State the different ways in which a bill having passed both houses of Congress, may become a law. 14. State several of the important powers of Congress expressed in the Constitution. 15. Explain what you understand by *expressed powers* and *implied powers*. 16. (a) Give an illustration of congressional legislation not directly authorized by an expressed provision in the Constitution. (b) How about the recent provision for a system of reserve banks?

17. (a) How can the Constitution of the United States be amended? (b) What one exception to this provision? 18. What amendments to our Constitution are often referred to as our "Bill of Rights"? 19. State the subject of each of the amendments from the eleventh to the seventeenth, inclusive. 20. Copy and complete this table and preserve for future reference:

OFFICE	BY WHOM ELECTED OR APPOINTED	LENGTH OF TERM	DUTIES	PRESENT INCUMBENT
President				
Vice-President				
Sec. of State				
Sec. of Treasury				
Sec. of War				
Sec. of Navy				
Sec. of Interior				
Post Master-Gen.				
Attorney-General				
Sec. of Agriculture				
Sec. of Commerce				
Sec. of Labor				
Chief Justice				
Spkr. of the House				
Senators from Ill.				
Member of Cong. From your district				

# APPENDIX

# CONSTITUTION OF THE UNITED STATES

## PREAMBLE

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

## ARTICLE I

### THE LEGISLATIVE POWER

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

### THE HOUSE OF REPRESENTATIVES

SEC. 2. The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the

United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each state shall have at least one Representative; and, until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

#### THE SENATE

SEC. 3. The Senate of the United States shall be composed of two Senators from each state, chosen by the legislature thereof, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if the vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they shall be equally divided.

The Senate shall choose their other officers, and shall have a president *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments.

When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment according to law.

#### MANNER OF ELECTING MEMBERS

SEC. 4. The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators.

#### CONGRESS TO ASSEMBLE ANNUALLY

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

#### POWERS

SEC. 5. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall, without consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

## COMPENSATION OF MEMBERS

SEC. 6. The Senators and Representatives shall receive a compensation, for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No Senator, or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

## MANNER OF PASSING BILLS

SEC. 7. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevents its return, in which case it shall not be a law.

Every order, resolution or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States; and before the same shall take effect, shall be

approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

#### POWER OF CONGRESS

SEC. 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the supreme court;

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over



such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

#### LIMITATION OF THE POWER OF CONGRESS

SEC. 9. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or *ex post facto* law shall be passed.

No capitation, or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any state.

No preference shall be given by any regulation of commerce of revenue to the ports of one state over those of another; nor shall vessels bound to, or from, one state, be obliged to enter, clear or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office or title, of any kind whatever, from any king, prince or foreign state.

#### LIMITATIONS OF THE POWERS OF THE INDIVIDUAL STATES

SEC. 10. No state shall enter into any treaty, alliance, or con-

federation; grant letters of marque or reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts or grant any title of nobility.

No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II

### EXECUTIVE POWER

SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice-President, chosen for the same term, be elected as follows:

### MANNER OF ELECTING

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress; but no Senator or Representatives, or person holding an office of trust or profit under the United States, shall be appointed an elector.

(The following provisions were changed by the 12th amendment.)

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state as themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the presi-

dent of the Senate. The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately chose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.

#### TIME OF CHOOSING ELECTORS

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

#### WHO ELIGIBLE

No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the United States.

#### WHEN THE PRESIDENT'S POWER DEVOLVES ON THE VICE-PRESIDENT

In case of the removal of the President from office, or of his death, resignation or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer

shall act accordingly until the disability be removed, or a President shall be elected.

#### PRESIDENT'S COMPENSATION

The President shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

#### OATH

Before he enter on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and defend the Constitution of the United States."

#### POWERS AND DUTIES

SEC. 2. The President shall be Commander-in-Chief of the army and navy of the United States, and of the militia of the several states when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SEC. 3. He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expe-

dient; he may, on extraordinary occasions, convene both houses or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

#### OFFICERS REMOVED

SEC. 4. The President, Vice-President, and all civil officers of the United States, shall be removed from office, on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

### ARTICLE III

#### THE JUDICIARY

SECTION I. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

(The following provision was altered by the 11th Amendment.)

SEC. 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction, to controversies to which the United States shall be a party; to controversies between two or more states, between a state and citizens of another state; between citizens of different states; between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

#### JURISDICTION OF SUPREME COURT

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

## TRIALS FOR CRIMES

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

## TREASON

SEC. 3. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort.

No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

## ARTICLE IV

## STATE ACTS

SECTION 1. Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state. And the Congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

## PRIVILEGES OF CITIZENS

SEC. 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up to be removed to the state having jurisdiction of the crime.

## RUNAWAYS TO BE DELIVERED UP

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation thereof, be discharged from such service or labor, but shall be delivered upon claim of the party to whom such service or labor may be due.

## NEW STATES

SEC. 3. New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the states concerned as well as of the Congress.

## TERRITORIAL AND OTHER PROPERTY

The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory, or this property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

SEC. 4. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and, on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

## ARTICLE V

## AMENDMENTS

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution; or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress; *Provided*, that no amendment which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

## ARTICLE VI

## DEBTS

All debts contracted, and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution as under the Confederation.

## SUPREME LAW OF THE LAND

This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.

## OATH—NO RELIGIOUS TEST

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office, or public trust, under the United States.

## ARTICLE VII

The ratifications of the conventions of nine states shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

Done in convention, by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON,

*President and Deputy from Virginia.*

*New Hampshire*—John Langdon, Nicholas Gilman. *Massachusetts*—Nathaniel Gorham, Rufus King. *Connecticut*—William Samuel Johnson, Roger Sherman. *New York*—Alexander Hamilton. *New Jersey*—William Livingston, David Brearley, William Patterson, Jonathan Dayton. *Pennsylvania*—Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris. *Delaware*—George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett, Jacob Broom. *Maryland*—James M'Henry, Daniel of St. Tho. Jenifer, Daniel Carroll. *Virginia*—John Blair, James Madison, Jr. *North Carolina*—William Blount, Richard Spaight, Hugh Williamson. *South Carolina*—John Rutledge, C. Coatesworth Pinckney, Charles Pinckney, Pierce Butler. *Georgia*—William Few, Abraham Baldwin.

*Attest:*

WILLIAM JACKSON, *Secretary.*



## AMENDMENTS TO THE CONSTITUTION

[The first ten amendments were proposed by Congress at their first session, in 1789, and ratified by the states in 1791.]

## I

## FREE EXERCISE OF RELIGION

Congress shall make no law respecting an establishment of religion, or prohibiting a free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

## II

## RIGHT TO BEAR ARMS

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

## III

## QUARTERING OF SOLDIERS

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

## IV

## UNREASONABLE SEARCHES PROHIBITED

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

## V

## CRIMINAL PROCEEDINGS

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentation or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor

shall any person be subject for the same offense to be put twice in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use without just compensation.

## VI

### MODE OF TRIAL

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

## VII

### RIGHT OF TRIAL BY JURY

In suits of common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

## VIII

### BAIL AND FINES

Excessive bail shall not be required, nor excessive fines imposed nor cruel and unusual punishments inflicted.

## IX

### RIGHTS NOT ENUMERATED

The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

## X

### POWERS RESERVED

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people.

## XI

[Ratified in 1798]

## LIMITATION OF JUDICIAL POWERS

The judicial power of the United States shall not be construed to extend to any suit in law of equity commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

## XII

[Ratified in 1804]

## ELECTION OF PRESIDENT

The electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate shall in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such a majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the vote shall be taken by states, the representation from each state having one vote. A quorum for this purpose shall consist of a member or members from two-thirds of the states and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth-day of March next following, then the Vice-President shall act as President, as in the case of death or other constitutional disability of the President.

The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President. A quorum for that purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

## XIII

[Ratified in 1865]

## SLAVERY

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

## XIV

[Ratified in 1868]

## CITIZENSHIP

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States. Nor shall any state deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed; but whenever the right to vote at any election of electors for President and Vice-President of the United States, Representative in Congress, executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion

or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in that state.

SEC. 3. No person shall be a Senator or Representative in Congress, elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof; but Congress may by a vote of two-thirds of each House, remove such disability.

SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for the payment of pensions and bounties for service in suppressing insurrection or rebellion, shall not be questioned; but neither the United States nor any state shall assume to pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave, but all such debts, obligations, and claims shall be illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

## XV

[Ratified in 1870]

### RIGHT TO VOTE

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state, on account of race, color, or previous condition of servitude.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

## XVI

[Ratified in 1913]

### INCOME TAX

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.

## XVII

[Ratified in 1913]

## DIRECT ELECTION OF SENATORS

SECTION 1. The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof for six years, and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

SEC. 2. When vacancies happen in the representation of any state in the Senate the executive authority of such state shall issue writs of election to fill such vacancies: *Provided*, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

SEC. 3. This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

## XVIII

[Ratified by three-fourths of the states, January 16, 1919.  
Effective on and after January 16, 1920]

## PROHIBITION

SECTION 1. After one year from the ratification of this article the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SEC. 2. The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislature of the several states, as provided by the Constitution, within seven years from the date of the submission hereof to the states by the Congress.

## XIX

[Ratified in 1920]

## WOMAN SUFFRAGE

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

SEC. 2. Congress shall have power by appropriate legislation to enforce the provisions of this article.

# CONSTITUTION OF THE STATE OF ILLINOIS

---

ADOPTED IN CONVENTION AT SPRINGFIELD, MAY 13, A. D. 1870.

---

Ratified July 2, 1870; in force August 8, 1870; amended 1878, 1880; 1884, 1886, 1890, 1904 and 1908.

---

## PREAMBLE

We, the people of the State of Illinois—grateful to Almighty God for the civil, political, and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations—in order to form a more perfect government, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the State of Illinois.

## ARTICLE I

### BOUNDARIES

The boundaries and jurisdiction of the state shall be as follows, to-wit: Beginning at the mouth of the Wabash River; thence up the same, and with the line of Indiana, to the northwest corner of said state; thence east, with the line of the same state, to the middle of Lake Michigan; thence north along the middle of said lake, to north latitude forty-two degrees and thirty minutes; thence west to the middle of the Mississippi River, and thence down along the middle of that river to its confluence with the Ohio River, and thence up the latter river along its northwestern

shore, to the place of beginning: *Provided*, that this state shall exercise such jurisdiction upon the Ohio River, as she is now entitled to, or such as may hereafter be agreed upon by this state and the State of Kentucky.

## ARTICLE II

### BILL OF RIGHTS

SECTION 1. All men are by nature free and independent, and have certain inherent and inalienable rights—among these are life, liberty, and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed.

SEC. 2. No person shall be deprived of life, liberty, or property, without due process of law.

SEC. 3. The free exercise and enjoyment of religious profession and worship, without discrimination, shall forever be guaranteed; and no person shall be denied any civil or political right, privilege, or capacity on account of his religious opinions; but the liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the state. No person shall be required to attend or support any ministry or place of worship against his consent, nor shall any preference be given by law to any religious denomination or mode of worship.

SEC. 4. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty; and in all trials for libel, both civil and criminal, the truth, when published with good motives and for justifiable ends, shall be a sufficient defense.

SEC. 5. The right of trial by jury as heretofore enjoyed, shall remain inviolate; but the trial of civil cases before justices of the peace, by a jury of less than twelve men, may be authorized by law.

SEC. 6. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue without probable cause, supported by affidavit, particularly describing the place to be searched, and the persons and things to be seized.

SEC. 7. All persons shall be bailable by sufficient sureties, except for capital offenses, where the proof is evident or the presumption great; and the privilege of the writ of *habeas corpus* shall



not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

SEC. 8. No person shall be held to answer for a criminal offense unless on indictment of a grand jury, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army and navy, or in the militia when in actual service in time of war or public danger: *Provided*, that the grand jury may be abolished by law in all cases.

SEC. 9. In all criminal prosecutions, the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation, and to have a copy thereof; to meet the witnesses face to face, and to have process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

SEC. 10. No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

SEC. 11. All penalties shall be proportioned to the nature of the offense; and no conviction shall work corruption of blood or forfeiture of estate; nor shall any person be transported out of the state for any offense committed within the same.

SEC. 12. No person shall be imprisoned for debt, unless upon refusal to deliver up his estate for the benefit of his creditors, in such manner as shall be prescribed by law; or in cases where there is strong presumption of fraud.

SEC. 13. Private property shall not be taken or damaged for public use without just compensation. Such compensation, when not made by the state, shall be ascertained by a jury, as shall be prescribed by law. The fee of land taken for railroad tracks, without consent of the owners thereof, shall remain in such owners, subject to the use for which it is taken.

SEC. 14. No *ex post facto* law, or law impairing the obligation of contracts, or making any irrevocable grant of special privileges or immunities, shall be passed.

SEC. 15. The military shall be in strict subordination to the civil power.

SEC. 16. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war except in the manner prescribed by law.

SEC. 17. The people have the right to assemble in a peaceable manner to consult for the common good, to make known their opinions to their representatives, and to apply for redress of grievances.

SEC. 18. All elections shall be free and equal.

SEC. 19. Every person ought to find a certain remedy in the laws for all injuries and wrongs which he may receive in his person, property or reputation; he ought to obtain, by law, right and justice freely and without being obliged to purchase it, completely and without denial, promptly and without delay.

SEC. 20. A frequent recurrence to the fundamental principles of civil government is absolutely necessary to preserve the blessings of liberty.

### ARTICLE III

#### DISTRIBUTION OF POWERS

The powers of the government of this state are divided into three distinct departments—the legislative, executive, and judicial; and no person, or collection of persons, being one of these departments, shall exercise any power properly belonging to either of the others, except as hereinafter expressly directed or permitted.

### ARTICLE IV

#### LEGISLATIVE DEPARTMENT

SECTION I. The legislative power shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, both to be elected by the people.

#### ELECTION

SEC. 2. An election for members of the General Assembly shall be held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand eight hundred and seventy, and every two years thereafter, in each county, at such places therein as may be provided by law. When vacancies occur in either house, the Governor, or person exercising the powers of Governor, shall issue writs of election to fill such vacancy.

#### ELIGIBILITY AND OATH

SEC. 3. No person shall be a Senator who shall not have attained the age of twenty-five years, or a Representative who shall not have attained the age of twenty-one years. No person

shall be a Senator or Representative who shall not be a citizen of the United States, and who shall not have been for five years a resident of this state, and for two years next preceding his election a resident within the territory forming the district from which he is elected. No judge or clerk of any court, Secretary of State, Attorney General, State's Attorney, Recorder, Sheriff, or collector of public revenue, member of either house of Congress, or person holding any lucrative office under the United States or this state, or any foreign government, shall have a seat in the General Assembly: *Provided*, that appointments in the militia, and the offices of notary public and justice of the peace, shall not be considered lucrative. Nor shall any person holding any office of honor or profit under any foreign government, or under the government of the United States (except postmasters whose annual compensation does not exceed the sum of three hundred dollars), hold any office of honor or profit under the authority of this state.

SEC. 4. No person who has been, or hereafter shall be convicted of bribery, perjury or other infamous crime, nor any person who has been or may be a collector or holder of public moneys, who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be eligible to the General Assembly, or to any office of profit or trust in this state.

SEC. 5. Members of the General Assembly, before they enter upon their official duties, shall take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and will faithfully discharge the duties of Senator (or Representative) according to the best of my ability; and that I have not knowingly or intentionally paid or contributed anything, or made any promise in the nature of a bribe, to directly or indirectly influence any vote at the election at which I was chosen to fill the said office, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company or person, for any vote or influence I may give or withhold on any bill, resolution, or appropriation, or for any other official act."

This oath shall be administered by a judge of the supreme or circuit court in the hall of the house to which the member is elected, and the Secretary of State shall record and file the oath subscribed by each member. Any member who shall refuse to take the oath herein prescribed shall forfeit his office, and every member who shall be convicted of having sworn falsely to, or of violating his

said oath, shall forfeit his office and be disqualified thereafter from holding any office of profit or trust in this state.

#### APPORTIONMENT—SENATORIAL

SEC. 6. The General Assembly shall apportion the state every ten years, beginning with the year one thousand eight hundred and seventy-one, by dividing the population of the state, as ascertained by the federal census, by the number fifty-one, and the quotient shall be the ratio of representation in the senate. The state shall be divided into fifty-one senatorial districts, each of which shall elect one Senator, whose term of office shall be four years. The Senators elected in the year of our Lord one thousand eight hundred and seventy-two, in districts bearing odd numbers, shall vacate their offices at the end of two years, and those elected in districts bearing even numbers, at the end of four years; and vacancies occurring by the expiration of term shall be filled by the election of Senators for the full term. Senatorial districts shall be formed of contiguous and compact territory, bounded by county lines, and contain as nearly as practicable an equal number of inhabitants; but no district shall contain less than four-fifths of the senatorial ratio. Counties containing not less than the ratio and three-fourths, may be divided into separate districts, and shall be entitled to two Senators, and to one additional Senator for each number of inhabitants equal to the ratio contained by such counties in excess of twice the number of said ratio.

Note. By the adoption of minority representation, Sections 7 and 8 of this article cease to be a part of the Constitution. Under Section 12 of the schedule, and the vote of adoption, the following section relating to minority representation is substituted for said sections:

#### MINORITY REPRESENTATION

SECS. 7 and 8. The House of Representatives shall consist of three times the number of the members of the Senate, and the term of office shall be two years. Three Representatives shall be elected in each senatorial district at the general election in the year of our Lord one thousand eight hundred and seventy-two, and every two years thereafter. In all elections of Representatives aforesaid, each qualified voter may cast as many votes for one candidate as there are Representatives to be elected, or may distribute the same, or equal parts thereof, among the candidates, as he shall see fit; and the candidates highest in votes shall be declared elected.

## TIME OF MEETING AND GENERAL RULES

SEC. 9. The sessions of the General Assembly shall commence at twelve o'clock noon, on the Wednesday next after the first Monday in January, in the year next ensuing the election of members thereof, and at no other time, unless as provided by this Constitution. A majority of the members elected to each house shall constitute a quorum. Each house shall determine the rules of its proceedings, and be the judge of the election, returns, and qualifications of its members; shall choose its own officers; and the Senate shall choose a temporary president to preside when the Lieutenant Governor shall not attend as president, or shall act as Governor. The Secretary of State shall call the House of Representatives to order at the opening of each new assembly, and preside over it until a temporary presiding officer thereof shall have been chosen and shall have taken his seat. No member shall be expelled by either house, except by a vote of two-thirds of all the members elected to that house, and no member shall be twice expelled for the same offense. Each house may punish by imprisonment any person, not a member, who shall be guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. But no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

SEC. 10. The door of each house and of committees of the whole shall be kept open, except in such cases as, in the opinion of the house, require secrecy. Neither house shall, without the consent of the other, adjourn for more than two days, or to any other place than that in which the two houses shall be sitting. Each house shall keep a journal of its proceedings, which shall be published. In the Senate, at the request of two members, and in the House at the request of five members, the yeas and nays shall be taken on any question, and entered upon the journal. Any two members of either house shall have liberty to dissent from and protest, in respectful language, against any act or resolution which they think injurious to the public or to any individual, and have the reasons of their dissent entered upon the journals.

## STYLE OF LAWS, AND PASSAGE OF BILLS

SEC. 11. The style of the laws of this state shall be: "*Be it enacted by the People of the State of Illinois, represented in the General Assembly.*"

SEC. 12. Bills may originate in either house, but may be altered, amended, or rejected by the other; and on the final passage of all bills, the vote shall be by yeas and nays, upon each bill separately, and shall be entered upon the journal; and no bill shall become a law without the concurrence of a majority of the members elected to each house.

SEC. 13. Every bill shall be read at large on three different days, in each house; and the bill and all amendments thereto shall be printed before the vote is taken on its final passage; and every bill, having passed both houses, shall be signed by the speakers thereof. No act hereafter passed shall embrace more than one subject, and that shall be expressed in the title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed; and no law shall be revived or amended by reference to its title only, but the law revived, or the section amended, shall be inserted at length in the new act. And no act of the General Assembly shall take effect until the first day of July next after its passage, unless, in case of emergency (which emergency shall be expressed in the preamble or body of the act) the General Assembly shall, by a vote of two-thirds of all the members elected to each house, otherwise direct.

#### PRIVILEGES AND DISABILITIES

SEC. 14. Senators and Representatives shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during the session of the General Assembly, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

SEC. 15. No person elected to the General Assembly shall receive any civil appointment within this state from the Governor, the Governor and Senate, or from the General Assembly, during the term for which he shall have been elected; and all such appointments, and all votes given for any such members for any such office or appointment, shall be void; nor shall any member of the General Assembly be interested, either directly or indirectly, in any contract with the state, or any county thereof, authorized by any law passed during the term for which he shall have been elected, or within one year after the expiration thereof.

## PUBLIC MONEYS AND APPROPRIATIONS

SEC. 16. The General Assembly shall make no appropriation of money out of the treasury in any private law. Bills making appropriations for the pay of members and officers of the General Assembly, and for the salaries of the officers of the government, shall contain no provision on any other subject.

SEC. 17. No money shall be drawn from the treasury except in pursuance of an appropriation made by law, and on the presentation of a warrant issued by the auditor thereon; and no money shall be diverted from any appropriation made for any purpose, or taken from any fund whatever, either by joint or separate resolution. The auditor shall, within sixty days after the adjournment of each session of the General Assembly, prepare and publish a full statement of all money expended at such session, specifying the amount of each item, and to whom and for what paid.

SEC. 18. Each General Assembly shall provide for all the appropriations necessary for the ordinary and contingent expenses of the government until the expiration of the first fiscal quarter after the adjournment of the next regular session, the aggregate amount of which shall not be increased without a vote of two-thirds of the members elected to each house, nor exceed the amount of revenue authorized by law to be raised in such time; and all appropriations, general or special, requiring money to be paid out of the state treasury, from funds belonging to the state, shall end with such fiscal quarter. *Provided*, the state may, to meet casual deficits or failures in revenues, contract debts, never to exceed in the aggregate two hundred and fifty thousand dollars; and moneys thus borrowed shall be applied to the purpose for which they were obtained, or to pay the debt thus created, and to no other purpose; and no other debt, except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war (for payment of which the faith of the state shall be pledged), shall be contracted, unless the law authorizing the same shall, at a general election, have been submitted to the people and have received a majority of the votes cast for members of the General Assembly at such election. The General Assembly shall provide for the publication of said law for three months, at least, before the vote of the people shall be taken upon the same; and provision shall be made, at the time, for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue; which law, providing for the payment of such interest by such tax, shall be irrevocable

until such debt be paid. *And, provided further*, that the law levying the tax shall be submitted to the people with the law authorizing the debt to be contracted.

SEC. 19. The General Assembly shall never grant or authorize extra compensation, fee, or allowance to any public officer, agent, servant, or contractor, after service has been rendered or a contract made, nor authorize the payment of any claim, or part thereof, hereafter created against the state under any agreement or contract made without express authority of law; and all such unauthorized agreements or contracts made shall be null and void. *Provided*, the General Assembly may make appropriations for expenditures incurred in suppressing insurrection or repelling invasion.

SEC. 20. The state shall never pay, assume, or become responsible for the debts or liabilities of, or in any manner give, loan, or extend its credit to, or in aid of, any public or other corporation, association, or individual.

#### PAY OF MEMBERS

SEC. 21. The members of the General Assembly shall receive for their services the sum of five dollars per day, during the first session held under this Constitution, and ten cents for each mile necessarily traveled in going to, and returning from, the seat of government, to be computed by the auditor of public accounts; and thereafter such compensation as shall be prescribed by law, and no other allowance or emolument, directly or indirectly, for any purpose whatever, except the sum of fifty dollars per session to each member, which shall be in full for postage, stationery, newspaper, and all other incidental expenses and perquisites; but no change shall be made in the compensation of the General Assembly during the term for which they may have been elected. The pay and mileage allowed to each member of the General Assembly shall be certified by the speakers of their respective houses, and entered on the journals, and published at the close of each session.

#### SPECIAL LEGISLATION PROHIBITED

SEC. 22. The General Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say, for—

Granting divorces;

Changing the names of persons or places;

Laying out, opening, altering, and working roads or highways;

Vacating roads, town plats, streets, alleys, and public grounds;



- Locating or changing county seats;
  - Regulating county and township affairs;
  - Regulating the practice in courts of justice;
  - Regulating the jurisdiction and duties of justices of the peace, police magistrates and constables;
  - Providing for changes of venue in civil and criminal cases;
  - Incorporating cities, towns, or villages; or changing or amending the charter of any town, city, or village;
  - Providing for the election of members of the board of supervisors in townships, incorporated towns or cities;
  - Summoning and impaneling grand or petit juries;
  - Providing for the management of common schools;
  - Regulating the rate of interest on money;
  - The opening and conducting of an election, or designating the place of voting;
  - The sale or mortgage of real estate belonging to minors or others under disability;
  - The protection of game or fish;
  - Chartering or licensing ferries or toll bridges;
  - Remitting fines, penalties or forfeitures;
  - Creating, increasing or decreasing fees, percentages or allowances of public officers, during the term for which said officers are elected or appointed;
  - Changing the law of descent;
  - Granting to any corporation, association or individual the right to lay down railroad tracks, or amending existing charters for such purpose;
  - Granting to any corporation, association or individual any special or exclusive privilege, immunity or franchise whatever.
- In all other cases where a general law can be made applicable, no special law shall be enacted.
- SEC. 23. The General Assembly shall have no power to release or extinguish, in whole or in part, the indebtedness, liability, or obligation of any corporation or individual to this state or to any municipal corporation therein.

#### IMPEACHMENT

SEC. 24. The House of Representatives shall have the sole power of impeachment; but a majority of all the members elected must concur therein. All impeachments shall be tried by the Senate; and when sitting for that purpose, the Senators shall be upon oath or

affirmation, to do justice according to law and evidence. When the Governor of the state is tried, the Chief-Justice shall preside. No person shall be convicted without the concurrence of two-thirds of the Senators elected. But judgment, in such cases, shall not extend further than removal from office, and disqualification to hold any office of honor, profit or trust under the government of this state. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment, and punishment according to law.

## MISCELLANEOUS

SEC. 25. The General Assembly shall provide, by law, that the fuel, stationery, and printing paper furnished for the use of the state, the copying, printing, binding and distributing the laws and journals, and all other printing ordered by the General Assembly, shall be let by contract to the lowest responsible bidder; but the General Assembly shall fix a minimum price; and no member thereof, or other officer of the state, shall be interested, directly or indirectly, in such contract. But all such contracts shall be subject to the approval of the Governor, and if he disapproves the same, there shall be a reletting of the contract, in such manner as shall be prescribed by law.

SEC. 26. The State of Illinois shall never be made defendant in any court of law or equity.

SEC. 27. The General Assembly shall have no power to authorize lotteries or gift enterprises, for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this state.

SEC. 28. No law shall be passed which shall operate to extend the term of any public officer after his election or appointment.

SEC. 29. It shall be the duty of the General Assembly to pass such laws as may be necessary for the protection of operative miners, by providing for ventilation, when the same may be required, and the construction of escapement shafts or such other appliances as may secure safety in all coal mines, to provide for the enforcement of said laws by such penalties and punishments as may be deemed proper.

SEC. 30. The General Assembly may provide for establishing and opening roads and cartways, connected with a public road, for private and public use.

SEC. 31. The General Assembly may pass laws permitting the owners of land to construct drains, ditches and levees for agricul-

tural, sanitary or mining purposes, across the lands of others, and provide for the organization of drainage districts, and vest the corporate authorities thereof with power to construct and maintain levees, drains and ditches, and to keep in repair all drains, ditches, and levees heretofore constructed under the laws of this state, by special assessments upon the property benefited thereby.

SEC. 32. The General Assembly shall pass liberal homestead and exemption laws.

SEC. 33. The General Assembly shall not appropriate out of the state treasury, or expend on account of the new capitol grounds, and construction, completion, and furnishing of the statehouse, a sum exceeding, in the aggregate, three and a half millions of dollars, inclusive of all appropriations heretofore made, without first submitting the proposition for an additional expenditure to the legal voters of the state, at a general election; nor unless a majority of all votes cast at such election shall be for the proposed additional expenditure.

SEC. 34. The General Assembly shall have power, subject to the conditions and limitations hereinafter contained, to pass any law (local, special, or general) providing a scheme or charter of local municipal government for the territory now or hereafter embraced within the limits of the City of Chicago. The law or laws so passed may provide for consolidating (in whole or in part) in the municipal government of the City of Chicago, the powers now vested in the city, board of education, township, park and other local governments and authorities having jurisdiction confined to or within said territory, or any part thereof, and for the assumption by the City of Chicago of the debts and liabilities (in whole or in part) of the governments or corporate authorities whose functions within its territory shall be vested in said City of Chicago, and may authorize said city, in the event of its becoming liable for the indebtedness of two or more of the existing municipal corporations lying wholly within said City of Chicago, to become indebted to an amount (including its existing indebtedness and the indebtedness of all municipal corporations lying wholly within the limits of said city, and said city's proportionate share of the indebtedness of said county and sanitary district, which share shall be determined in such manner as the General Assembly shall prescribe) in the aggregate not exceeding 5 per centum of the full value of the taxable property within its limits as ascertained by the last assessment either for state or

municipal purposes previous to the incurring of such indebtedness (but no new bonded indebtedness, other than for refunding purposes, shall be incurred until the proposition therefor shall be consented to by a majority of the legal voters of said city voting on the question at any election, general, municipal or special; and may provide for the assessment of property and the levy and collection of taxes within said city for corporate purposes in accordance with the principles of equality and uniformity prescribed by this Constitution; and may abolish all offices, the functions of which shall be otherwise provided for; and may provide for the annexation of territory to or disconnection of territory from said City of Chicago by the consent of a majority of the legal voters (voting on the question at any election, general, municipal or special) of the said city and of a majority of the voters of such territory, voting on the question at any election, general, municipal, or special; and, in case the General Assembly shall create municipal courts in the City of Chicago, it may abolish the offices of justices of the peace, police magistrates and constables in and for the territory within said city, and may limit the jurisdiction of justices of the peace in the territory of said County of Cook outside of said city to that territory, and in such case the jurisdiction and practice of said municipal courts shall be such as the General Assembly shall prescribe; and the General Assembly may pass all laws which it may deem requisite to effectually provide a complete system of local municipal government in and for the City of Chicago.

No law based upon this amendment to the Constitution, affecting the municipal government of the City of Chicago, shall take effect until such law shall be consented to by a majority of the legal voters of said city voting on the question at any election (general, municipal, or special); and no local or special law based upon this amendment affecting specially any part of the City of Chicago shall take effect until consented to by a majority of the legal voters of such part of said city. Nothing in this section contained shall be construed to repeal, amend or affect section four (4) of article XI of the Constitution of this state.

## ARTICLE V

### EXECUTIVE DEPARTMENT

SECTION I. The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, Auditor of

Public Accounts, Treasurer, Superintendent of Public Instruction, and Attorney-General, who shall each, with the exception of Treasurer, hold his office for the term of four years from the second Monday of January next after his election, and until his successor is elected and qualified. They shall, except the Lieutenant-Governor, reside at the seat of government during the term of office, and keep the public records, books, and papers there, and shall perform such duties as may be prescribed by law.

SEC. 2. The Treasurer shall hold his office for the term of two years, and until his successor is elected and qualified; and shall be ineligible to said office for two years next after the end of the term for which he was elected. He may be required by the Governor to give reasonable additional security, and in default of so doing his office shall be deemed vacant.

#### ELECTION

SEC. 3. An election for Governor, Lieutenant-Governor, Secretary of State, Auditor of Public Accounts, and Attorney-General, shall be held on the Tuesday next after the first Monday of November, in the year of our Lord one thousand eight hundred and seventy-two, and every four years thereafter; for Superintendent of Public Instruction, on the Tuesday next after the first Monday of November, in the year one thousand eight hundred and seventy, and every four years thereafter, and for Treasurer on the day last above mentioned, and every two years thereafter, at such places and in such manner as may be prescribed by law.

SEC. 4. The returns of every election for the above named officers shall be sealed up and transmitted, by the returning officers, to the Secretary of State, directed to "The Speaker of the House of Representatives," who shall, immediately after the organization of the house, and before proceeding to other business, open and publish the same in the presence of a majority of each house of the General Assembly, who shall for that purpose assemble in the hall of the House of Representatives. The person having the highest number of votes for either of said offices, shall be declared duly elected; but if two or more have an equal, and the highest number of votes, the General Assembly shall, by joint ballot, choose one of such persons for said office. Contested elections for all of said offices shall be determined by both houses of the General Assembly, by joint ballot, in such manner as may be prescribed by law.

## ELIGIBILITY

SEC. 5. No person shall be eligible to the office of Governor, or Lieutenant-Governor, who shall not have attained the age of thirty years, and been for five years next preceding his election, a citizen of the United States and of this state. Neither the Governor, Lieutenant-Governor, Auditor of Public Accounts, Secretary of State, Superintendent of Public Instruction, nor Attorney-General, shall be eligible to any other office during the period for which he shall have been elected.

## GOVERNOR

SEC. 6. The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed.

SEC. 7. The Governor shall, at the commencement of each session, and at the close of his term of office, give to the General Assembly information, by message, of the condition of the state, and shall recommend such measures as he shall deem expedient. He shall account to the General Assembly, and accompany his message with a statement of all moneys received and paid out by him from any funds subject to his order, with vouchers, and, at the commencement of each regular session, present estimates of the amount of money required to be raised by taxation for all purposes.

SEC. 8. The Governor may, on extraordinary occasions, convene the General Assembly, by proclamation, stating therein the purpose for which they are convened; and the General Assembly shall enter upon no business except that for which they were called together.

SEC. 9. In case of disagreement between the two houses with respect to the time of adjournment, the Governor may, on the same being certified to him by the house first moving the adjournment, adjourn the General Assembly to such time as he thinks proper, not beyond the first day of the next regular session.

SEC. 10. The Governor shall nominate and, by and with the advice and consent of the Senate (a majority of all the Senators elected concurring by yeas and nays), appoint all officers whose offices are established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for; and no such officer shall be appointed or elected by the General Assembly.

SEC. 11. In case of vacancy, during the recess of the Senate, in any office which is not elective, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall

nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate (a majority of all the Senators elected concurring by yeas and nays), shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified. No person, after being rejected by the Senate, shall be again nominated for the same office at the same session, unless at the request of the Senate, or be appointed to the same office during the recess of the General Assembly.

SEC. 12. The Governor shall have power to remove any officer whom he may appoint, in case of incompetency, neglect of duty, or malfeasance in office; and he may declare his office vacant and fill the same as is herein provided in other cases of vacancy.

SEC. 13. The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses, subject to such regulations as may be provided by law relative to the manner of applying therefor.

SEC. 14. The Governor shall be Commander-in-Chief of the military and naval forces of the state (except when they shall be called into the service of the United States); and may call out the same to execute the laws, suppress insurrection, and repel invasion.

SEC. 15. The Governor, and all civil officers of this state, shall be liable to impeachment for any misdemeanor in office.

#### VETO

SEC. 16. Every bill passed by the General Assembly shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it, with his objections, to the house in which it shall have originated, which house shall enter the objections at large upon its journal, and proceed to reconsider the bill. If, then, two-thirds of the members elected agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of the members elected to that house, it shall become a law, notwithstanding the objections of the Governor. But in all such cases, the vote of each house shall be determined by yeas and nays, to be entered on the journal. Any bill which shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him, shall become a law in like manner as if he had signed it, unless the General Assembly shall, by their adjournment,

prevent its return; in which case it shall be filed, with his objections, in the office of the Secretary of State, within ten days after such adjournment, or become a law.

#### LIEUTENANT-GOVERNOR

SEC. 17. In case of the death, conviction or impeachment, failure to qualify, resignation, absence from the state, or other disability of the Governor, the powers, duties and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the Lieutenant-Governor.

SEC. 18. The Lieutenant-Governor shall be president of the Senate, and shall vote only when the Senate is equally divided. The Senate shall choose a president, *pro tempore*, to preside in case of the absence or impeachment of the Lieutenant-Governor, or when he shall hold the office of Governor.

SEC. 19. If there be no Lieutenant-Governor, or if the Lieutenant-Governor shall, for any of the causes specified in section seventeen of this article, become incapable of performing the duties of the office, the president of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the president of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Representatives.

#### OTHER STATE OFFICERS

SEC. 20. If the office of Auditor of Public Accounts, Treasurer, Secretary of State, Attorney-General, or Superintendent of Public Instruction shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law. An account shall be kept by the officers of the executive department, and of all the public institutions of the state, of all moneys received or disbursed by them, severally, from all sources, and for every service performed, and a semi-annual report thereof be made to the Governor, under oath; and any officer who shall make a false report shall be guilty of perjury, and be punished accordingly.

SEC. 21. The officers of the executive department, and of all the public institutions of the state, shall, at least ten days preceding each regular session of the General Assembly, severally report to the Governor, who shall submit such reports to the General Assembly,



together with the reports of the judges of the supreme court, of defects in the Constitution and laws; and the Governor may at any time require information, in writing, under oath, from the officers of the executive department, and all officers and managers of state institutions, upon any subject relating to the conditions, management and expenses of their respective offices.

#### THE SEAL OF STATE

SEC. 22. There shall be a seal of the state, which shall be called the "Great Seal of the State of Illinois," which shall be kept by the Secretary of State, and used by him, officially, as directed by law.

#### FEES AND SALARIES

SEC. 23. The officers named in this article shall receive for their services a salary, to be established by law, which shall not be increased or diminished during their official terms, and they shall not, after the expiration of the terms of those in office at the adoption of this Constitution, receive to their own use any fees, costs, perquisites of office, or other compensation. And all fees that may hereafter be payable by law for any services performed by any officer provided for in this article of the Constitution, shall be paid in advance into the state treasury.

#### DEFINITION AND OATH OF OFFICE

SEC. 24. An office is a public position created by the Constitution or law, continuing during the pleasure of the appointing power, or for a fixed time, with a successor elected or appointed. An employment is an agency for a temporary purpose, which ceases when that purpose is accomplished.

SEC. 25. All civil officers, except members of the General Assembly and such inferior officers as may be by law exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of \_\_\_\_\_ according to the best of my ability."

And no other oath, declaration, or test shall be required as a qualification.

## ARTICLE VI

## JUDICIAL DEPARTMENT

SECTION 1. The judicial powers, except as in this article is otherwise provided, shall be vested in one supreme court, circuit courts, county courts, justices of the peace, police magistrates, and in such courts as may be created by law in and for cities and incorporated towns.

## SUPREME COURT

SEC. 2. The supreme court shall consist of seven judges, and shall have original jurisdiction in cases relating to the revenue, in *mandamus* and *habeas corpus*, and appellate jurisdiction in all other cases. One of said judges shall be chief-justice; four shall constitute a quorum, and the concurrence of four shall be necessary to every decision.

SEC. 3. No person shall be eligible to the office of judge of the supreme court unless he shall be at least thirty years of age, and a citizen of the United States, nor unless he shall have resided in this state five years next preceding his election, and be a resident of the district in which he shall be elected.

SEC. 4. Terms of the supreme court shall continue to be held in the present grand divisions at the several places now provided for holding the same; and until otherwise provided by law, one or more terms of said court shall be held, for the northern division, in the City of Chicago each year at such times as said court may appoint, whenever said city or the County of Cook shall appoint appropriate rooms therefor, and the use of a suitable library, without expense to the state. The judicial divisions may be altered, increased or diminished in number, and the times and places of holding said court may be changed by law.

SEC. 5. The present grand divisions shall be preserved, and be denominated Southern, Central and Northern, until otherwise provided by law. The state shall be divided into seven districts for the election of judges, and until otherwise provided by law, they shall be as follows:

*First District.* The counties of St. Clair, Clinton, Washington, Jefferson, Wayne, Edwards, Wabash, White, Hamilton, Franklin, Perry, Randolph, Monroe, Jackson, Williamson, Saline, Gallatin, Hardin, Pope, Union, Johnson, Alexander, Pulaski, and Massac.

*Second District.* The counties of Madison, Bond, Marion, Clay, Richland, Lawrence, Crawford, Jasper, Effingham, Fayette, Mont-

gomery, Macoupin, Shelby, Cumberland, Clarke, Greene, Jersey, Calhoun, and Christian.

*Third District.* The counties of Sangamon, Macon, Logan, De Witt, Piatt, Douglas, Champaign, Vermilion, McLean, Livingston, Ford, Iroquois, Coles, Edgar, Moultrie, and Tazewell.

*Fourth District.* The counties of Fulton, McDonough, Hancock, Schuyler, Brown, Adams, Pike, Mason, Menard, Morgan, Cass, and Scott.

*Fifth District.* The counties of Knox, Warren, Henderson, Mercer, Henry, Stark, Peoria, Marshall, Putnam, Bureau, LaSalle, Grundy, and Woodford.

*Sixth District.* The counties of Whiteside, Carroll, Jo Daviess, Stephenson, Winnebago, Boone, McHenry, Kane, Kendall, DeKalb, Lee, Ogle, and Rock Island.

*Seventh District.* The counties of Lake, Cook, Will, Kankakee, and DuPage.

The boundaries of the districts may be changed at the session of the General Assembly next preceding the election for judges therein, and at no other time; but whenever such alterations shall be made, the same shall be upon the rule of equality of population, as nearly as county boundaries will allow, and the districts shall be composed of contiguous counties, in as nearly compact form as circumstances will permit. The alteration of the districts shall not affect the tenure of office of any judge.

SEC. 6. At the time of voting on the adoption of this Constitution, one judge of the supreme court shall be elected by the electors thereof, in each of said districts numbered two, three, six and seven, who shall hold his office for the term of nine years from the first Monday of June, in the year of our Lord one thousand eight hundred and seventy. The term of office of judges of the supreme court, elected after the adoption of this Constitution, shall be nine years; and on the first Monday of June of the year in which the term of any of the judges in the office at the adoption of this Constitution, or of the judges then elected, shall expire, and every nine years thereafter, there shall be an election for the successor or successors of such judges, in the respective districts wherein the term of such judges shall expire. The chief-justice shall continue to act as such until the expiration of the term for which he was elected, after which the judges shall choose one of their number chief-justice.

SEC. 7. From and after the adoption of this Constitution, the judges of the supreme court shall each receive a salary of four thou-

sand dollars per annum, payable quarterly, until otherwise provided by law. And after said salaries shall be fixed by law, the salaries of the judges in office shall not be increased or diminished during the term for which said judges shall have been elected.

SEC. 8. Appeals and writs of error may be taken to the supreme court, held in the grand division in which the case is decided, or, by consent of the parties, to any other grand division.

SEC. 9. The supreme court shall appoint one reporter of its decisions, who shall hold his office for six years, subject to removal by the court.

SEC. 10. At the time of the election for Representatives in the General Assembly, happening next preceding the expiration of the terms of office of the present clerks of said court, one clerk of said court, for each division shall be elected, whose term of office shall be six years from said election, but who shall not enter upon the duties of his office until the expiration of the term of his predecessor, and every six years thereafter one clerk of said court for each division shall be elected.

#### APPELLATE COURTS

SEC. 11. After the year of our Lord one thousand eight hundred and seventy-four, inferior appellate courts, of uniform organization and jurisdiction, may be created in districts formed for that purpose, to which such appeals and writs of error as the General Assembly may provide, may be prosecuted from circuit or other courts, and from which appeals and writs of error shall lie to the supreme court, in all criminal cases, and cases in which a franchise, or freehold, or the validity of a statute is involved, and in such other cases as may be provided by law. Such appellate courts shall be held by such number of judges of the circuit courts, and at such times and places, and in such manner as may be provided by law; but no judge shall sit in review upon cases decided by him; nor shall said judges receive any additional compensation for such services.

#### CIRCUIT COURTS

SEC. 12. The circuit courts shall have original jurisdiction of all causes in law and equity, and such appellate jurisdiction as is or may be provided by law, and shall hold two or more terms each year in every county. The terms of office of judges of circuit courts shall be six years.

SEC. 13. The state, exclusive of the County of Cook and other

counties having a population of one hundred thousand, shall be divided into judicial circuits, prior to the expiration of the terms of office of the present judges of the circuit courts. Such circuits shall be formed of contiguous counties, in as nearly compact form and as nearly equal as circumstances will permit, having due regard to business, territory, and population, and shall not exceed in number one circuit for every one hundred thousand of population in the state. One judge shall be elected for each of said circuits by the electors thereof. New circuits may be formed and the boundaries of circuits changed by the General Assembly, at its session next preceding the election for circuit judges, but at no other time: *Provided*, that the circuits may be equalized or changed, at the first session of the General Assembly after the adoption of this Constitution. The creation, alteration or change of any circuit shall not affect the tenure of office of any judge. Whenever the business of the circuit court of any one, or of two or more contiguous counties, containing a population exceeding fifty thousand, shall occupy nine months of the year, the General Assembly may make of such county, or counties, a separate circuit. Whenever additional circuits are created, the foregoing limitations shall be observed.

SEC. 14. The General Assembly shall provide for the times of holding court in each county; which shall not be changed, except by the General Assembly next preceding the general election for judges of said courts; but additional terms may be provided for in any county. The election for judges of the circuit courts shall be held on the first Monday in June, in the year of our Lord one thousand eight hundred and seventy-three, and every six years thereafter.

SEC. 15. The General Assembly may divide the state into judicial circuits of greater population and territory, in lieu of the circuits provided for in section thirteen of this article, and provide for the election therein, severally, by the electors thereof, by general ticket, of not exceeding four judges, who shall hold the circuit courts in the circuit for which they shall be elected, in such manner as may be provided by law.

SEC. 16. From and after the adoption of this Constitution, judges of the circuit courts shall receive a salary of three thousand dollars per annum, payable quarterly, until otherwise provided by law. And after their salaries shall be fixed by law, they shall not be increased or diminished during the terms for which said judges shall be respectively elected; and from and after the adoption of this Constitution, no judge of the supreme or circuit court shall receive

any other compensation, perquisite or benefit, in any form whatsoever, nor perform any other than judicial duties to which may belong any emoluments.

SEC. 17. No person shall be eligible to the office of judge of the circuit or any inferior court, or to membership in the "board of county commissioners," unless he shall be at least twenty-five years of age, and a citizen of the United States, nor unless he shall have resided in this state five years next preceding his election, and be a resident of the circuit, county, city, cities, or incorporated town in which he shall be elected.

#### COUNTY COURTS

SEC. 18. There shall be elected in and for each county, one county judge and one clerk of the county court, whose terms of office shall be four years. But the General Assembly may create districts of two or more contiguous counties, in each of which shall be elected one judge, who shall take the place of, and exercise the powers and jurisdiction of county judges in such districts. County courts shall be courts of records, and shall have original jurisdiction in all matters of probate; settlement of estates of deceased persons, appointments of guardians and conservators, and settlements of their accounts; in all matters relating to apprentices; and in proceedings for the collection of taxes and assessments, and such other jurisdiction as may be provided for by general law.

SEC. 19. Appeals and writs of error shall be allowed from final determinations of county courts, as may be provided by law.

#### PROBATE COURTS

SEC. 20. The General Assembly may provide for the establishment of a probate court in each county having a population of over fifty thousand, and for the election of a judge thereof, whose term of office shall be the same as that of the county judge, and who shall be elected at the same time and in the same manner. Said courts, when established, shall have original jurisdiction of all probate matters, the settlement of estates of deceased persons, the appointment of guardians and conservators, and settlements of their accounts; in all matters relating to apprentices, and in cases of sales of real estate of deceased persons for the payment of debts.

#### JUSTICES OF THE PEACE AND CONSTABLES

SEC. 21. Justices of the peace, police magistrates, and constables shall be elected in and for such districts as are, or may be, provided

by law, and the jurisdiction of such justices of the peace and police magistrates shall be uniform.

#### STATE'S ATTORNEY

SEC. 22. At the election for members of the General Assembly in the year of our Lord one thousand eight hundred and seventy-two, and every four years thereafter, there shall be elected a state's attorney in and for each county, in lieu of the state's attorneys now provided by law, whose term of office shall be four years.

#### COURTS OF COOK COUNTY

SEC. 23. The County of Cook shall be one judicial circuit. The circuit court of Cook County shall consist of five judges, until their number shall be increased, as herein provided. The present judge of the recorder's court of the City of Chicago, and the present judge of the circuit court of Cook County shall be two of said judges, and shall remain in office for the terms for which they were respectively elected, and until their successors shall be elected and qualified. The superior court of Chicago shall be continued and called the "Superior Court of Cook County." The General Assembly may increase the number of said judges, by adding one to either of said courts for every additional fifty thousand inhabitants in said county over and above a population of four hundred thousand. The terms of office of the judges of said courts, hereinafter elected, shall be six years.

SEC. 24. The judge having the shortest unexpired term shall be chief-justice of the court of which he is a judge. In case there are two or more whose terms expire at the same time, it may be determined by lot which shall be chief-justice. Any judge of either of said courts shall have all the powers of a circuit judge, and may hold the court of which he is a member. Each of them may hold a different branch thereof at the same time.

SEC. 25. The judges of the superior and circuit courts, and the state's attorney, in said county, shall receive the same salaries, payable out of the state treasury, as is or may be paid from said treasury to the circuit judges and state's attorneys of the state, and such further compensation, to be paid by the County of Cook, as is or may be provided by law. Such compensation shall not be changed during their continuance in office.

SEC. 26. The recorder's court of the City of Chicago shall be continued, and shall be called the "Criminal Court of Cook County." It shall have the jurisdiction of a circuit court in all cases of crim-

inal and *quasi* criminal nature, arising in the County of Cook, or that may be brought before said court pursuant to law; and all recognizances and appeals taken in said county, in criminal and *quasi* criminal cases shall be returnable and taken to said court. It shall have no jurisdiction in civil cases, except in those on behalf of the people, and incident to such criminal or *quasi* criminal matters, and to dispose of unfinished business. The terms of said Criminal Court of Cook County shall be held by one or more of the judges of the circuit or superior court of Cook County, as nearly as may be in alternation, as may be determined by said judges, or provided by law. Said judges shall be *ex-officio* judges of said court.

SEC. 27. The present clerk of the recorder's court of the City of Chicago shall be the clerk of the Criminal Court of Cook County, during the term for which he was elected. The present clerks of the superior court of Chicago, and the present clerk of the circuit court of Cook County, shall continue in office during the terms for which they were respectively elected; and thereafter there shall be but one clerk of the superior court, to be elected by the qualified electors of said county, who shall hold his office for the term of four years, and until his successor is elected and qualified.

SEC. 28. All justices of the peace in the City of Chicago shall be appointed by the Governor, by and with the advice and consent of the Senate (but only upon the recommendation of a majority of the judges of the circuit, superior and county courts), and for such districts as are now or shall hereafter be provided by law. They shall hold their offices for four years, and until their successors have been commissioned and qualified, but they may be removed by summary proceeding in the circuit or superior court, for extortion or other malfeasance. Existing justices of the peace and police magistrates may hold their offices until the expiration of their respective terms.

#### GENERAL PROVISIONS

SEC. 29. All judicial officers shall be commissioned by the Governor. All laws relating to courts shall be general, and of uniform operation; and the organization, jurisdiction, powers, proceedings, and practice of all courts, of the same class or grade, so far as regulated by law, and the force and effect of the process, judgments and decrees of such courts, severally, shall be uniform.

SEC. 30. The General Assembly may, for cause entered on the journals, upon due notice and opportunity of defense, remove from office any judge, upon concurrence of three-fourths of all the mem-



bers elected, of each house. All other officers in this article mentioned shall be removed from office on prosecution and final conviction, for misdemeanor in office.

SEC. 31. All judges of courts of record, inferior to the supreme court, shall, on or before the first day of June, of each year, report in writing to the judges of the supreme court, such defects and omissions in the laws as their experience may suggest; and the judges of the supreme court shall, on or before the first day of January, of each year, report in writing to the Governor such defects and omissions in the Constitution and laws as they may find to exist, together with appropriate forms of bills to cure such defects and omissions in the laws. And the judges of the several circuit courts shall report to the next General Assembly, the number of days they have held court in the several counties composing their respective circuits, the preceding two years.

SEC. 32. All officers provided for in this article shall hold their offices until their successors shall be qualified, and they shall, respectively, reside in the division, circuit, county or district for which they may be elected or appointed. The term of office of all such officers, where not otherwise prescribed in this article, shall be four years. All officers, where not otherwise provided for in this article, shall perform such duties and receive such compensation as is, or may be, provided by law. Vacancies in such elective offices shall be filled by election; but where the unexpired term does not exceed one year, the vacancy shall be filled by appointment, as follows: Of judges, by the Governor; of clerks of courts, by the court to which the office appertains, or by the judge or judges thereof; and of all such other offices, by the board of supervisors, or board of county commissioners, in the county where the vacancy occurs.

SEC. 33. All process shall run: *In the name of the people of the State of Illinois*; and all prosecutions shall be carried on: *In the name and by the authority of the People of the State of Illinois*; and conclude: *Against the peace and dignity of the same*. "Population," wherever used in this article, shall be determined by the next preceding census of this state, or of the United States.

## ARTICLE VII.

### SUFFRAGE

SECTION 1. Every person having resided in this state one year, in the county ninety days, and in the election district thirty days next preceding any election therein, who was an elector in this

state on the first day of April, in the year of our Lord one thousand eight hundred and forty-eight, or obtained a certificate of naturalization, before any court of record in this state, prior to the first day of January, in the year of our Lord one thousand eight hundred and seventy, or who shall be a male citizen of the United States, above the age of twenty-one years, shall be entitled to vote at such election.

SEC. 2. All votes shall be by ballot.

SEC. 3. Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from the same. And no elector shall be obliged to do military duty on the days of election, except in time of war or public danger.

SEC. 4. No elector shall be deemed to have lost his residence in this state by reason of his absence on the business of the United States, or of this state, or in the military or naval service of the United States.

SEC. 5. No soldier, seaman or marine in the army or navy of the United States, shall be deemed a resident of this state in consequence of being stationed therein.

SEC. 6. No person shall be elected or appointed to any office in this state, civil or military, who is not a citizen of the United States, and who shall not have resided in this state one year next preceding the election or appointment.

SEC. 7. The General Assembly shall pass laws excluding from the right of suffrage persons convicted of infamous crimes.

## ARTICLE VIII

### EDUCATION

SECTION 1. The General Assembly shall provide a thorough and efficient system of free schools, whereby all children of this state may receive a good common school education.

SEC. 2. All lands, moneys, or other property, donated, granted, or received for school, college, seminary or university purposes, and the proceeds thereof, shall be faithfully applied to the objects for which such gifts or grants were made.

SEC. 3. Neither the General Assembly nor any county, city, town, township, school district, or other public corporation, shall ever make any appropriation or pay from any public fund whatever, anything in aid of any church or sectarian purpose, or to help sup-

port or sustain any school, academy, seminary, college, university, or other literary or scientific institution, controlled by any church or sectarian denomination whatever; nor shall any grant or donation of land, money, or other personal property ever be made by the state, or any such public corporation, to any church, or for any sectarian purpose.

SEC. 4. No teacher, state, county, township, or district school officer shall be interested in the sale, proceeds, or profits of any book, apparatus, or furniture, used or to be used, in any school in this state, with which such officer or teacher may be connected, under such penalties as may be provided by the General Assembly.

SEC. 5. There may be a county superintendent of schools in each county whose qualifications, powers, duties, compensation, and time and manner of election, and term of office, shall be prescribed by law.

## ARTICLE IX

### REVENUE

SECTION 1. The General Assembly shall provide such revenue as may be needful by levying a tax, by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property—such value to be ascertained by some person or persons, to be elected or appointed in such manner as the General Assembly shall direct and not otherwise; but the General Assembly shall have power to tax peddlers, auctioneers, brokers, hawkers, merchants, commission merchants, showmen, jugglers, inn-keepers, grocery-keepers, liquor-dealers, toll-bridges, ferries, insurance, telegraph and express interests or business, venders of patents, and persons or corporations owning or using franchises and privileges, in such manner as it shall, from time to time, direct by general law, uniform as to the class upon which it operates.

SEC. 2. The specification of the objects and subjects of taxation shall not deprive the General Assembly of the power to require other subjects or objects to be taxed, in such manner as may be consistent with the principles of taxation fixed in this Constitution.

SEC. 3. The property of the state, counties, and other municipal corporations, both real and personal, and such other property, as may be used exclusively for agricultural and horticultural societies, for school, religious, cemetery and charitable purposes, may be exempted from taxation; but such exemption shall be only by general law. In the assessment of real estate incumbered by public ease-

ment, any depreciation occasioned by such easement may be deducted in the valuation of such property.

SEC. 4. The General Assembly shall provide, in all cases where it may be necessary to sell real estate for the non-payment of taxes or special assessments, for state, county, municipal or other purposes, that a return of such unpaid taxes or assessments shall be made to some general officer of the county, having authority to receive state and county taxes; and there shall be no sale of said property for any of said taxes or assessments but by said officer, upon the order or judgment of some court of record.

SEC. 5. The right of redemption from all sales of real estate, for the non-payment of taxes or special assessments of any character whatever shall exist in favor of owners and persons interested in such real estate, for a period of not less than two years from such sales thereof. And the General Assembly shall provide, by law, for reasonable notice to be given to the owners of parties interested, by publication or otherwise, of the fact of the sale of the property for such taxes or assessments, and when the time of redemption shall expire: *Provided*, that occupants shall in all cases be served with personal notice before the time of redemption expires.

SEC. 6. The General Assembly shall have no power to release or discharge any county, city, township, town or district, whatever, or the inhabitants thereof, or the property therein, from their or its proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

SEC. 7. All taxes levied for state purposes shall be paid into the state treasury.

SEC. 8. County authorities shall never assess taxes, the aggregate of which shall exceed seventy-five cents per one hundred dollars' valuation, except for the payment of indebtedness existing at the adoption of this Constitution, unless authorized by a vote of the people of the county.

SEC. 9. The General Assembly may vest the corporate authorities of cities, towns, and villages, with power to make local improvements by special assessment or by special taxation of contiguous property, or otherwise. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes; but such taxes shall be uniform in respect to persons and property, within the jurisdiction of the body imposing the same.

SEC. 10. The General Assembly shall not impose taxes upon

municipal corporations, or the inhabitants or property thereof, for corporate purposes, but shall require that all the taxable property within the limits of municipal corporations shall be taxed for the payment of debts contracted under authority of law, such taxes to be uniform in respect to persons and property, within the jurisdiction of the body imposing the same. Private property shall not be liable to be taken or sold for the payment of the corporate debts of a municipal corporation.

SEC. 11. No person who is in default, as collector or custodian of money or property belonging to a municipal corporation, shall be eligible to any office in or under such corporation. The fees, salary or compensation of no municipal officer who is elected or appointed for a definite term of office, shall be increased or diminished during such term.

SEC. 12. No county, city, township, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose, to an amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes, previous to the incurring of such indebtedness. Any county, city, school district, or other municipal corporation, incurring any indebtedness as aforesaid, shall before, or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt, as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same. This section shall not be construed to prevent any county, city, township, school district, or other municipal corporation from issuing their bonds in compliance with any vote of the people which may have been had prior to the adoption of this Constitution in pursuance of any law providing therefor.

SEC. 13. The corporate authorities of the City of Chicago are hereby authorized to issue interest-bearing bonds of said city to an amount not exceeding five million dollars, at a rate of interest not to exceed five per centum per annum, the principal payable within thirty years from the date of their issue, and the proceeds thereof shall be paid to the treasurer of the World's Columbian Exposition, and used and disbursed by him under the direction and control of the directors, in aid of the World's Columbian Exposition, to be held in the City of Chicago, in pursuance of an act of Congress of the United States: *Provided*, that if at an election for the adop-

tion of this amendment to the Constitution a majority of the votes cast within the limits of the City of Chicago shall be against its adoption, then no bonds shall be issued under this amendment.

And said corporate authorities shall be repaid as large a proportionate amount of the aid given by them as is repaid to the stockholders on the sums subscribed and paid by them, and the money so received shall be used in the redemption of the bonds issued as aforesaid, provided that said authorities may take in whole or in part of the sum coming to them any permanent improvements placed on land held or controlled by them: *And, provided further*, that no such indebtedness so created shall in any part thereof be paid by the state, or from any state revenue, tax or fund, but the same shall be paid by the said City of Chicago alone.

## ARTICLE X

### COUNTIES

SECTION 1. No new county shall be formed or established by the General Assembly, which will reduce the county or counties, or either of them, from which it shall be taken, to less contents than four hundred square miles; nor shall any county be formed of less contents; nor shall any line thereof pass within less than ten miles of any county seat of the county or counties proposed to be divided.

SEC. 2. No county shall be divided, or have any part stricken therefrom, without submitting the question to a vote of the people of the county, nor unless a majority of all the legal voters of the county, voting on the question, shall vote for the same.

SEC. 3. There shall be no territory stricken from any county, unless a majority of the voters living in such territory, shall petition for such division; and no territory shall be added to any county without the consent of the majority of the voters of the county to which it is proposed to be added. But the portion so stricken off and added to another county, or formed in whole or in part into a new county, shall be holden for, and obliged to pay its proportion of the indebtedness of the county from which it has been taken.

### COUNTY SEATS

SEC. 4. No county seat shall be removed until the point to which it is proposed to be removed shall be fixed in pursuance of law, and three-fifths of the voters of the county, to be ascertained in such manner as shall be provided by general law, shall have voted

in favor of its removal to such point; and no person shall vote on such question who has not resided in the county six months, and in the election precinct ninety days next preceding such election. The question of the removal of a county seat shall not be oftener submitted than once in ten years, to a vote of the people. But when an attempt is made to remove a county seat to a point nearer to the center of a county, then a majority vote only shall be necessary.

#### COUNTY GOVERNMENT

SEC. 5. The General Assembly shall provide, by general law, for township organization, under which any county may organize whenever a majority of the legal voters of such county, voting at any general election, shall so determine, and whenever any county shall adopt township organization, so much of this Constitution as provides for the management of the fiscal concerns of the said county by the board of county commissioners, may be dispensed with, and the affairs of said county may be transacted in such manner as the General Assembly may provide. And in any county that shall have adopted a township organization, the question of continuing the same may be submitted to a vote of the electors of such county, at a general election, in the manner that now is or may be provided by law; and if a majority of all the votes cast upon that question shall be against township organization, then such organization shall cease in said county; and all laws in force in relation to counties not having township organization shall immediately take effect and be in force in such county. No two townships shall have the same name, and the day of holding the annual township meeting shall be uniform throughout the state.

SEC. 6. At the first election of county judges under this Constitution, there shall be elected in each of the counties in this state, not under township organization, three officers, who shall be styled "The Board of County Commissioners," who shall hold sessions for the transaction of county business as shall be provided by law. One of said commissioners shall hold his office for one year, one for two years, and one for three years, to be determined by lot; and every year thereafter one such officer shall be elected in each of said counties for the term of three years.

SEC. 7. The county affairs of Cook County shall be managed by a board of commissioners of fifteen persons, ten of whom shall be elected from the City of Chicago, and five from towns outside of said city, in such manner as may be provided by law.

## COUNTY OFFICERS AND THEIR COMPENSATION

SEC. 8. In each county there shall be elected the following county officers, at the general election to be held on the Tuesday after the first Monday in November, A. D., 1882: A county judge, county clerk, sheriff, and treasurer, and at the election to be held on the Tuesday after the first Monday in November, A. D., 1884, a coroner and clerk of the circuit court (who may be *ex-officio* recorder of deeds, except in counties having 60,000 and more inhabitants, in which counties a recorder of deeds shall be elected at the general election in 1884). Each of said officers shall enter upon the duties of his office, respectively, on the first Monday of December after his election, and they shall hold their respective offices for the term of four years, and until their successors are elected and qualified: *Provided*, that no person having once been elected to the office of sheriff or treasurer shall be eligible to re-election to said office for four years after the expiration of the term for which he shall have been elected.

SEC. 9. The clerks of all the courts of record, the treasurer, sheriff, coroner and recorder of deeds of Cook County, shall receive as their only compensation for their services, salaries to be fixed by law, which shall in no case be as much as the lawful compensation of a judge of the circuit court of said county, and shall be paid, respectively, only out of the fees of the office actually collected. All fees, perquisites and emoluments (above the amounts of said salaries) shall be paid into the county treasury. The number of the deputies and assistants of such officers shall be determined by rule of the circuit court, to be entered of record, and their compensation shall be determined by the county board.

SEC. 10. The county board, except as provided in section nine of this article, shall fix the compensation of all county officers, with the amount of their necessary clerk hire, stationery, fuel and other expenses, and in all cases where fees are provided for, said compensation shall be paid only out of, and shall in no instance exceed, the fees actually collected, they shall not allow either of them more per annum than fifteen hundred dollars, in counties not exceeding twenty thousand inhabitants; two thousand dollars, in counties containing twenty thousand and not exceeding thirty thousand inhabitants; twenty-five hundred dollars, in counties containing thirty thousand and not exceeding fifty thousand inhabitants; three thousand dollars, in counties containing fifty thousand and not exceeding seventy thousand inhabitants; thirty-five hundred dollars, in counties containing



seventy thousand and not exceeding one hundred thousand inhabitants; and four thousand dollars, in counties containing one hundred thousand and not exceeding two hundred and fifty thousand inhabitants; and not more than one thousand dollars additional compensation for each additional one hundred thousand inhabitants: *Provided*, that the compensation of no officer shall be increased or diminished during his term of office. All fees or allowances by them received, in excess of their said compensation, shall be paid into the county treasury.

SEC. 11. The fees of township officers, and of each class of county officers, shall be uniform in the class of counties to which they respectively belong. The compensation herein provided for shall apply only to officers hereafter elected, but all fees established by special laws shall cease at the adoption of this Constitution, and such officers shall receive only such fees as are provided by general law.

SEC. 12. All laws fixing the fees of state, county, and township officers shall terminate with the terms respectively of those who may be in office at the meeting of the first General Assembly after the adoption of this constitution; and the General Assembly shall, by general law, uniform in its operation, provide for and regulate the fees of said officers and their successors, so as to reduce the same to a reasonable compensation for services actually rendered. But the General Assembly may, by general law, classify the counties by population into not more than three classes, and regulate the fees according to class. This article shall not be construed as depriving the General Assembly of the power to reduce the fees of existing officers.

SEC. 13. Every person who is elected or appointed to any office in this state, who shall be paid in whole or in part by fees, shall be required by law to make a semi-annual report, under oath, to some officer to be designated by law, of all his fees and emoluments.

## ARTICLE XI

### CORPORATIONS

SECTION 1. No corporation shall be created by special laws, or its charter extended, changed, or amended, except those for charitable, educational, penal, or reformatory purposes, which are to be and remain under the patronage and control of the state, but the General Assembly shall provide, by general laws, for the organization of all corporations hereafter to be created.

SEC. 2. All existing charters or grants of special or exclusive privileges, under which organization shall not have taken place, or which shall not have been in operation within ten days from the time this Constitution takes effect, shall thereafter have no validity or effect whatever.

SEC. 3. The General Assembly shall provide, by law, that in all elections for directors or managers of incorporated companies, every stockholder shall have the right to vote, in person or by proxy, for the number of shares of stock owned by him, for as many persons as there are directors and managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock, shall equal, or distribute them on the same principle among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner.

SEC. 4. No law shall be passed by the General Assembly granting the right to construct and operate a street railroad within any city, town, or incorporated village, without requiring the consent of the local authorities having the control of the street or highway proposed to be occupied by such street railroad.

#### BANKS

SEC. 5. No state bank shall hereafter be created, nor shall the state own or be liable for any stock in any corporation or joint stock company or association for banking purposes, now created, or to be hereafter created. No act of the General Assembly authorizing or creating corporations or associations, with banking powers, whether of issue, deposit or discount, nor amendments thereto, shall go into effect, or in any manner be in force, unless the same shall be submitted to a vote of the people at the general election next succeeding the passage of the same, and be approved by a majority of all the votes cast at such an election for or against such law.

SEC. 6. Every stockholder in a banking corporation or institution shall be individually responsible and liable to its creditors, over and above the amount of stock by him or her held, to an amount equal to his or her respective shares so held, for all liabilities accruing while he or she remains such stockholder.

SEC. 7. The suspension of specie payments by banking institutions, on their circulation, created by the laws of this state, shall never be permitted or sanctioned. Every banking association now, or which may hereafter be, organized under the laws of this state

shall make and publish a full and accurate quarterly statement of its affairs (which shall be certified to, under oath, by one or more of its officers), as may be provided by law.

SEC. 8. If a general banking law shall be enacted, it shall provide for the registry and countersigning, by an officer of state, of all bills or paper credit, designed to circulate as money, and require security, to the full amount thereof, to be deposited with the State Treasurer, in United States or Illinois State stocks, to be rated at ten per cent below their par value; and in case of a depreciation of said stocks to the amount of ten per cent below par, the bank or banks owning said stocks shall be required to make up said deficiency, by depositing additional stocks. And said law shall also provide for the recording of the names of all stockholders in such corporation, the amount of stock held by each, the time of any transfer thereof, and to whom such transfer is made.

#### RAILROADS

SEC. 9. Every railroad corporation organized or doing business in this state, under the laws or authority thereof, shall have and maintain a public office or place in this state for the transaction of its business, where transfers of stock shall be made and in which shall be kept for public inspection books in which shall be recorded the amount of capital stock subscribed, and by whom; the names of the owners of its stock, and the amounts owned by them respectively; the amount of stock paid in, and by whom; the transfers of said stock; the amount of its assets and liabilities, and the names and places of residence of its officers. The directors of every railway corporation shall, annually, make a report, under oath, to the auditor of public accounts, or some officer to be designated by law, of all their acts and doing, which report shall include such matters relating to railroads as may be prescribed by law. And the General Assembly shall pass laws enforcing by suitable penalties the provisions of this section.

SEC. 10. The rolling stock, and all other movable property belonging to any railroad company or corporation in this state, shall be considered personal property, and shall be liable to execution and sale in the same manner as the personal property of individuals, and the General Assembly shall pass no law exempting any such property from execution and sale.

SEC. 11. No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a

parallel or competing line; and in no case shall any consolidation take place except upon public notice given, of at least sixty days, to all stockholders, in such manner as may be provided by law. A majority of the directors of any railroad corporation, now incorporated or hereafter to be incorporated by the laws of this state, shall be citizens and residents of this state.

SEC. 12. Railways heretofore constructed or that may hereafter be constructed in this state, are hereby declared public highways, and shall be free to all persons, for the transportation of their persons and property thereon, under such regulations as may be prescribed by law. And the General Assembly shall, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on the different railroads in this state.

SEC. 13. No railroad corporation shall issue any stocks or bonds, except for money, labor or property, actually received, and applied to the purpose for which such corporation was created; and all stock dividends, and other fictitious increase of capital stock or indebtedness of any such corporation shall be void. The capital stock of no railroad corporation shall be increased for any purpose, except upon giving sixty days' public notice, in such manner as may be provided by law.

SEC. 14. The exercise of the power, and the right of eminent domain shall never be so construed or abridged as to prevent the taking, by the General Assembly, of the property and franchises of incorporated companies already organized, and subjecting them to the public necessity the same as of individuals. The right of trial by jury shall be held inviolate in all trials of claims for compensation, when, in the exercise of the said right of eminent domain, any incorporated company shall be interested either for or against the exercise of said right.

SEC. 15. The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this state, and enforce such laws, by adequate penalties, to the extent, if necessary for that purpose, of forfeiture of their property and franchises.

## ARTICLE XII

### MILITIA

SECTION 1. The militia of the State of Illinois shall consist of all able-bodied male persons, residents in the state, between the

ages of eighteen and forty-five, except such persons as now are, or hereafter may be, exempted by the laws of the United States, or of this state.

SEC. 2. The General Assembly, in providing for the organization, equipment and discipline of the militia, shall conform as nearly as practicable to the regulations for the government of the armies of the United States.

SEC. 3. All militia officers shall be commissioned by the Governor, and may hold their commissions for such time as the General Assembly may provide.

SEC. 4. The militia shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at musters and elections, and in going to and returning from the same.

SEC. 5. The military records, banners and relics of the state shall be preserved as an enduring memorial of the patriotism and valor of Illinois, and it shall be the duty of the General Assembly to provide by law for the safe keeping of the same.

SEC. 6. No person having conscientious scruples against bearing arms shall be compelled to do military duty in time of peace: *Provided*, such person shall pay an equivalent for such exemption.

## ARTICLE XIII

### WAREHOUSES

SECTION 1. All elevators or storehouses where grain or other property is stored for a compensation, whether the property stored be kept separate or not, are declared to be public warehouses.

SEC. 2. The owner, lessee, or manager of each and every public warehouse situated in any town or city of not less than one hundred thousand inhabitants, shall make weekly statements under oath, before some officer to be designated by law, and keep the same posted in some conspicuous place in the office of said warehouse, and shall also file a copy for public examination in such place as shall be designated by law, which statement shall correctly set forth the amount and grade of each and every kind of grain in such warehouse, together with such other property as may be stored therein, and what warehouse receipts have been issued, and are, at the time of making such statement, outstanding therefor; and shall, on the copy posted in the warehouse, note daily changes as may be made in the quantity and grade of grain in such warehouse; and the different grades of grain shipped in separate lots shall not be mixed with

inferior or superior grades, without the consent of the owner or consignee thereof.

SEC. 3. The owners of property stored in any warehouse, or holder of a receipt for the same, shall always be at liberty to examine such property stored, and all the books and records of the warehouse, in regard to such property.

SEC. 4. All railroad companies and other common carriers on railroads shall weigh or measure grain at such points where it is shipped, and receipt for the full amount, and shall be responsible for the delivery of such amount to the owner or consignee thereof, at the place of destination.

SEC. 5. All railroad companies receiving and transporting grain in bulk or otherwise shall deliver the same to any consignee thereof, or any elevator or public warehouse to which it may be consigned, provided such consignee or the elevator or public warehouse can be reached by any track owned, leased or used, or which can be used, by such railroad companies; and all railroad companies shall permit connections to be made with their track, so that any such consignee, and any public warehouse, coal bank or coal yard, may be reached by the cars on said railroad.

SEC. 6. It shall be the duty of the General Assembly to pass all necessary laws to prevent the issue of false and fraudulent warehouse receipts, and to give full effect to this article of the constitution, which shall be liberally construed so as to protect producers and shippers. And the enumeration of the remedies herein named shall not be construed to deny to the General Assembly the power to describe by law such other and further remedies as may be found expedient, or to deprive any person of existing common law remedies.

SEC. 7. The General Assembly shall pass laws for the inspection of grain, for the protection of producers, shippers, and receivers of grain and produce.

## ARTICLE XIV

### AMENDMENTS TO THE CONSTITUTION

SECTION I. Whenever two-thirds of the members of each house of the General Assembly shall, by a vote entered upon the journals thereof, concur that a convention is necessary to revise, alter or amend the Constitution, the question shall be submitted to the electors at the next general election. If a majority voting at the election vote for a convention, the General Assembly shall, at the

next session, provide for a convention, to consist of double the number of members of the Senate, to be elected in same manner, at the same places, and in the same districts. The General Assembly shall, in the act of calling the convention, designate the day, hour and place of its meeting, fixing the pay of its members and officers, and provide for the payment of the same, together with the expenses necessarily incurred by the convention in the performance of its duties. Before proceeding, the members shall take an oath to support the Constitution of the United States and of the State of Illinois, and to faithfully discharge their duties as members of the convention. The qualification of members shall be the same as that of members of the Senate, and vacancies occurring shall be filled in the manner provided for filling vacancies in the General Assembly. Said convention shall meet within three months after such election, and prepare such revision, alteration or amendments of the Constitution as shall be deemed necessary, which shall be submitted to the electors for their ratification or rejection, at an election appointed by the convention for that purpose, not less than two nor more than six months after the adjournment thereof; and unless so submitted and approved, by a majority of the electors voting at the election, no such revision, alteration or amendments shall take effect.

SEC. 2. Amendments to this Constitution may be proposed in either house of the General Assembly, and if the same shall be voted for by two-thirds of all the members elected to each of the two houses, such proposed amendments, together with the yeas and nays of each house thereon, shall be entered in full on their respective journals, and said amendments shall be submitted to the electors of this state for adoption or rejection, at the next election of members of the General Assembly, in such manner as may be prescribed by law. The proposed amendments shall be published in full at least three months preceding the election, and if a majority of the electors voting at said election shall vote for the proposed amendments, they shall become a part of this Constitution. But the General Assembly shall have no power to propose amendments to more than one article of this Constitution at the same session, nor to the same article oftener than once in four years.

## SECTIONS SEPARATELY SUBMITTED

### ILLINOIS CENTRAL RAILROAD

No contract, obligation or liability whatever, of the Illinois Central Railroad Company, to pay any money into the state treasury,

nor any lien of the state upon, or right to tax property of said company, in accordance with the provisions of the charter of said company, approved February tenth, in the year of our Lord one thousand eight hundred and fifty-one, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all moneys derived from said company, after the payment of the state debt, shall be appropriated and set apart for the payment of the ordinary expenses of the state government, and for no other purposes whatever.

#### MINORITY REPRESENTATION

(See Sections 7 and 8, Article IV)

#### MUNICIPAL SUBSCRIPTIONS TO RAILROADS OR PRIVATE CORPORATIONS

No county, city, town, township, or other municipality shall ever become subscriber to the capital stock of any railroad or private corporation, or make donation to or loan its credit in aid of such corporation: *Provided, however,* that the adoption of this article shall not be construed as affecting the right of any such municipality to make such subscriptions where the same have been authorized, under existing laws, by a vote of the people of such municipalities prior to such adoption.

#### CANAL

The Illinois and Michigan Canal, or other canal or waterway owned by the state, shall never be sold or leased until the specific proposition for the sale or lease thereof shall first have been submitted to a vote of the people of the state at a general election, and have been approved by a majority of all the votes polled at such election. The General Assembly shall never loan the credit of the state, or make appropriations from the treasury thereof, in aid of railroads or canals: *Provided,* that any surplus earnings of any canal, waterway, or water power may be appropriated or pledged for its enlargement, maintenance or extension: *And, provided, further,* that the General Assembly may, by suitable legislation, provide for the construction of a deep waterway or canal from the present water power plant of the Sanitary District of Chicago, at or near Lockport, in the Township of Lockport, in the County of Will, to a point in the Illinois River at or near Utica, which may be practical for a general plan and scheme of deep waterway along a route, which may be deemed most advantageous for such plan



of deep waterway, and for the erection, equipment and maintenance of power plants, locks, bridges, dams and appliances sufficient and suitable for the development and utilization of the water power thereof; and authorize the issue, from time to time, of bonds of this state in a total amount not to exceed twenty million dollars, which shall draw interest, payable semi-annually, at a rate not to exceed four per cent. per annum, the proceeds whereof may be applied as the General Assembly may provide, in the construction of said waterway and in the erection, equipment, and maintenance of said power plants, locks, bridges, dams, and appliances.

All power developed from said waterway may be leased in part or in whole, as the General Assembly may by law provide; but in the event of any lease being so executed, the rental specified therein for water power shall be subject to a re-valuation each ten years of the term created, and the income therefrom shall be paid into the treasury of the state.

#### SCHEDULE

That no inconvenience may arise from the alterations and amendments made in the Constitution of this state, and to carry the same into complete effect, it is hereby ordained and declared:

SECTION 1. That all laws in force at the adoption of this Constitution, not inconsistent therewith, and all rights, actions, prosecutions, claims and contracts of the state, individuals, or bodies corporate, shall continue to be as valid as if this Constitution had not been adopted.

SEC. 2. That all fines, taxes, penalties and forfeitures, due and owing to the State of Illinois under the present Constitution and laws, shall inure to the use of the people of the State of Illinois, under this Constitution.

SEC. 3. Recognizances, bonds, obligations, and all other instruments entered into or executed before the adoption of this Constitution, to the people of the State of Illinois, to any state or county officer or public body, shall remain binding and valid; and rights and liabilities upon the same shall continue, and all crimes and misdemeanors shall be tried and punished as though no change had been made in the Constitution of this state.

SEC. 4. County courts for the transaction of county business in counties not having adopted township organization, shall continue in existence, and exercise their present jurisdiction until the board of county commissioners provided in this Constitution, is organized

in pursuance of an act of the General Assembly; and the county courts in all other counties shall have the same power and jurisdiction they now possess until otherwise provided by law.

SEC. 5. All existing courts which are not in this Constitution specifically enumerated, shall continue in existence and exercise their present jurisdiction until otherwise provided by law.

SEC. 6. All persons now filling any office or appointment shall continue in the exercise of the duties thereof according to their respective commissions or appointments, unless by this Constitution it is otherwise directed.

[Sections 7 to 17, inclusive, providing for the submission of this Constitution to the people, became inoperative by its adoption, and are consequently omitted.]

SEC. 18. All laws of the State of Illinois, and all official writings, and the executive, legislative, and judicial proceedings shall be conducted, preserved and published in no other than the English language.

SEC. 19. The General Assembly shall pass all laws necessary to carry into effect the provisions of this Constitution.

SEC. 20. The circuit clerks of the different counties, having a population over sixty thousand, shall continue to be recorders (*ex-officio*) for their respective counties, under this Constitution, until the expiration of their respective terms.

SEC. 21. The judges of all courts of record in Cook County shall, in lieu of any salary provided for in this Constitution, receive the compensation now provided by law until the adjournment of the first session of the General Assembly after the adoption of this Constitution.

SEC. 22. The present judge of the circuit court of Cook County shall continue to hold the circuit court of Lake County until otherwise provided by law.

SEC. 23. When this Constitution shall be adopted, and take effect as the supreme law of the State of Illinois, the two-mill tax provided to be annually assessed and collected upon each dollar's worth of taxable property, in addition to all other taxes, as set forth in article fifteen of the now existing Constitution, shall cease to be assessed after the year of our Lord one thousand eight hundred and seventy.

SEC. 24. Nothing contained in this Constitution shall be construed as to deprive the General Assembly of power to authorize the City of Quincy to create any indebtedness for railroad or municipal

purposes for which the people of said city shall have voted, and to which they shall have given, by such vote, their assent, prior to the thirteenth day of December, in the year of our Lord one thousand eight hundred and sixty-nine: *Provided*, that no such indebtedness, so created, shall, in any part thereof, be paid by the state, or from any state revenue tax or fund, but the same shall be paid, if at all, by the said City of Quincy alone, and by taxes to be levied upon the taxable property thereof: *And provided, further*, that the General Assembly shall have no power in the premises that it could not exercise under the present Constitution of this State.

SEC. 25. In case this Constitution and the articles and sections submitted separately, be adopted, the existing Constitution shall cease in all its provisions; and in case this Constitution be adopted, and any one or more of the articles or sections submitted separately be defeated, the provisions of the existing Constitution, if any, on the same subject, shall remain in force.

SEC. 26. The provisions of this Constitution required to be executed prior to the adoption or rejection thereof, shall take effect and be in force immediately.

### CONVICT LABOR

Hereafter, it shall be unlawful for the commissioners of any penitentiary, or other reformatory institution in the State of Illinois, to let by contract to any person or persons, or corporations, the labor of any convict confined within said institution.

## THE CIVIL ADMINISTRATIVE CODE

---

The measure for the Consolidation of the state agencies under the direction of the Governor was passed by the Fiftieth General Assembly March 1, 1917. Governor Frank O. Lowden signed it upon presentation to him and it became a law July 1, 1917. The measure in full follows:

*AN ACT in relation to the civil administration of the state government, and to repeal certain acts therein named.*

### GENERAL PROVISIONS

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: This Act shall be known as "The Civil Administrative Code of Illinois."*

SEC. 2. The word "department," as used in this Act, shall, unless the context otherwise clearly indicates, mean the several departments of the state government as designated in Section 3 of this Act and none other.

SEC. 3. Departments of the state government are created as follows:

- The Department of Finance;
- The Department of Agriculture;
- The Department of Labor;
- The Department of Mines and Minerals;
- The Department of Public Works and Buildings;
- The Department of Public Welfare;
- The Department of Public Health;
- The Department of Trade and Commerce;
- The Department of Registration and Education.

SEC. 4. Each Department shall have an officer at its head who shall be known as a director, and who shall, subject to the provisions of this Act, execute the powers and discharge the duties vested by law in his respective department.

The following offices are hereby created:

- Director of Finance, for the Department of Finance;
- Director of Agriculture, for the Department of Agriculture;
- Director of Labor, for the Department of Labor;
- Director of Mines and Minerals, for the Department of Mines and Minerals;
- Director of Public Works and Buildings, for the Department of Public Works and Buildings;
- Director of Public Welfare, for the Department of Public Welfare;
- Director of Public Health, for the Department of Public Health;
- Director of Trade and Commerce, for the Department of Trade and Commerce;
- Director of Registration and Education, for the Department of Registration and Education.

SEC. 5. In addition to the directors of departments, the following executive and administrative officers, boards, and commissions, which said officers, boards, and commissions in the respective departments, shall hold offices hereby created and designated as follows:

*In the Department of Finance:*

- Assistant Director of Finance;
- Administrative Auditor;
- Superintendent of Budget;
- Superintendent of Department Reports.

*In the Department of Agriculture:*

- Assistant Director of Agriculture;
- General Manager of the State Fair;
- Superintendent of Foods and Dairies;
- Superintendent of Animal Industry;
- Superintendent of Plant Industry;
- Chief Veterinarian;
- Chief Game and Fish Warden;
- The Food Standard Commission, which shall consist of the superintendent of foods and dairies and two officers designated as food standard officers.

*In the Department of Labor:*

- Assistant Director of Labor;
- Chief Factory Inspector;
- Superintendent of Free Employment Offices;

Chief Inspector of Private Employment Agencies;  
The Industrial Commission which shall consist of five officers designated industrial officers.

*In the Department of Mines and Minerals:*

Assistant Director of Mines and Minerals;  
The Mining Board, which shall consist of four officers designated as mine officers and the Director of the Department of Mines and Minerals;  
The Miners' Examining Board, which shall consist of four officers, designated miners' examining officers.

*In the Department of Public Works and Buildings:*

Assistant Director of Public Works and Buildings;  
Superintendent of Highways;  
Chief Highway Engineer;  
Supervising Architect;  
Supervising Engineer;  
Superintendent of Waterways;  
Superintendent of Printing;  
Superintendent of Purchases and Supplies;  
Superintendent of Parks.

*In the Department of Public Welfare:*

Assistant Director of Public Welfare;  
Alienist;  
Criminologist;  
Fiscal Supervisor;  
Superintendent of Charities;  
Superintendent of Prisons;  
Superintendent of Pardons and Paroles.

*In the Department of Public Health:*

Assistant Director of Public Health;  
Superintendent of Lodging House Inspection.

*In the Department of Trade and Commerce:*

Assistant Director of Trade and Commerce;  
Superintendent of Insurance;  
Fire Marshal;  
Superintendent of Standards;  
Chief Grain Inspector;  
The Public Utilities Commission, which shall consist of five officers designated public utility commissioners;  
Secretary of the Public Utilities Commission.

*In the Department of Registration and Education:*

Assistant Director of Registration and Education;

Superintendent of Registration;

The Normal School Board, which shall consist of nine officers, together with the Director of the Department and the Superintendent of Public Instruction.

The above named officers, and each of them, shall, except as otherwise provided in this Act, be under the direction, supervision, and control of the director of their respective departments, and shall perform such duties as such director shall prescribe.

SEC. 6. Advisory and non-executive boards, in the respective departments, are created as follows:

*In the Department of Agriculture:*

A board of agricultural advisors, composed of fifteen persons, and a board of state fair advisors consisting of nine persons, not more than three of whom shall be appointed from any one county.

*In the Department of Labor:*

A board of Illinois free employment office advisors, composed of five persons;

A board of local Illinois free employment office advisors, for each free employment office, composed of five persons on each local board.

*In the Department of Public Works:*

A board of art advisors, composed of eight persons;

A board of water resource advisors, composed of five persons;

A board of highway advisors, composed of five persons;

A board of parks and buildings advisors, composed of five persons.

*In the Department of Public Welfare:*

A board of public welfare commissioners, composed of five persons.

*In the Department of Public Health:*

A board of public health advisors, composed of five persons.

*In the Department of Registration and Education:*

A board of natural resources and conservation advisors, composed of seven persons;

A board of state museum advisors, composed of five persons;

The members of each of the above named boards shall be officers.

SEC. 7. One food standard officer shall be a representative of the Illinois food manufacturing industries and the other shall be an expert food chemist of known reputation.

The fifteen agricultural advisors shall be persons engaged in agricultural industries, not excluding representatives of the agricultural press and of the State Agricultural Experiment Station.

Of the five industrial officers, two shall be representative citizens of the employing class operating under the Workman's Compensation Act, two shall be representative citizens chosen from among the employees operating under such Act, and the other shall be a representative citizen not identified with either the employing or employee classes.

Of the five Illinois free employment office advisors, two shall be representatives of employers, two representatives of organized labor, and one representative citizen who is neither an employer nor an employee.

The five local Illinois free employment office advisors shall have the same qualifications as the Illinois free employment office advisors.

The Director of Mines and Minerals shall be a person thoroughly conversant with the theory and practice of coal mining but who is not identified with either coal operators or coal miners. Of the four mine officers, two shall be coal operators and two shall be practical coal miners.

Each of the three miners' examining officers shall have had at least five years' practical and continuous experience as a coal miner and have been actually engaged as a coal miner in this state continuously for twelve months next preceding his appointment, and no one of whom shall hold any lucrative public office, Federal, State, or municipal.

Of the eight art commissioners, two shall be painters, two sculptors, two architects, and two neither painters, sculptors, nor architects.

The Director of Public Health shall be a person licensed to practice medicine and surgery in this state and shall have had at least five years' practical experience in the practice of medicine and surgery in this state and at least six years' practical experience in public health work.

The Assistant Director of Public Health shall be a person licensed to practice medicine and surgery in this state and shall have had at least five years' practical experience in the practice of



medicine and surgery in this state and at least three years' practical experience in public health work.

No public utility commissioner or employee of the Public Utility Commission shall be in the employ of or hold any official relation to any corporation or person subject in whole or in part to regulation by the commission nor shall he hold stocks or bonds in any such corporation or be in any other manner pecuniarily interested therein, directly or indirectly, and if any public utility commissioner or employee shall voluntarily become so interested, his office or employment shall *ipso facto* become vacant, and if any public utility commissioner or employee becomes so interested otherwise than voluntarily he shall, within a reasonable time, divest himself of such interest.

The Chief Grain Inspector shall be a person who is not interested, either directly or indirectly, in any warehouse in this state, and who is not a member of the Board of Trade.

Neither the director, assistant director, superintendent of registration, nor any other executive and administrative officer in the Department of Registration and Education shall be affiliated with any college or school of medicine, pharmacy, dentistry, nursing, optometry, embalming, barbering, veterinary medicine and surgery, architecture, or structural engineering, either as teacher, officer or stockholder, nor shall he hold a license or certificate to exercise or practice any of the professions, trades or occupations regulated.

No more than two members of the Normal School Board shall be residents of any one congressional district.

The Board of Natural Resources and Conservation shall be composed of the Director of Registration and Education, who shall be *ex officio* chairman thereof, the president of the University of Illinois or his representative, and one expert each in biology, geology, engineering, chemistry, and forestry, qualified by ten years' experience in practicing or teaching their several professions.

The board of state museum advisors shall be composed of one expert each in botany, ethnology, zoology, manufacture, and museum administration.

SEC. 8. Each advisory and non-executive board, except as otherwise expressly provided in this Act, shall, with respect to its field of work, or that of the department with which it is associated, have the following powers and duties:

1. To consider and study the entire field; to advise the executive officers of the department upon their request; to recommend, on its own initiative, policies and practices, which recommendations the executive officers of the department shall duly consider, and to give advice or make recommendations to the Governor and the General Assembly when so requested or on its own initiative.

2. To investigate the conduct of the work of the department with which it may be associated, and for this purpose to have access, at any time, to all books, papers, documents, and records pertaining or belonging thereto, and to require written or oral information from any officer or employee thereof.

3. To adopt rules, not inconsistent with law, for its internal control and management, a copy of which rules shall be filed with the director of the department with which such board is associated.

4. To hold meetings at such times and places as may be prescribed by the rules, not less frequently, however, than quarterly.

5. To act by a sub-committee, or by a majority of the board, if the rules so prescribe.

6. To keep minutes of the transactions of each session, regular or special, which shall be public records and filed with the director of the department.

7. To give notice to the Governor and to the director of the department with which it is associated of the time and place of every meeting, regular or special, and to permit the Governor and the director of the department to be present and to be heard upon any matter coming before such board.

SEC. 9. The executive and administrative officers whose offices are created by this Act shall receive annual salaries, payable in equal monthly installments, as follows:

*In the Department of Finance:*

The Director of Finance shall receive seven thousand dollars;  
The Assistant Director of Finance shall receive forty-two hundred dollars;

The Administrative Auditor shall receive forty-eight hundred dollars;

The Superintendent of Budget shall receive three thousand six hundred dollars;

The Superintendent of Department Reports shall receive thirty-six hundred dollars.

*In the Department of Agriculture:*

- The Director of Agriculture shall receive six thousand dollars;
- The Assistant Director of Agriculture shall receive thirty-six hundred dollars;
- The General Manager of the State Fair shall receive thirty-six hundred dollars;
- The Superintendent of Foods and Dairies shall receive forty-eight hundred dollars;
- The Superintendent of Animal Industry shall receive thirty-six hundred dollars;
- The Superintendent of Plant Industry shall receive thirty-six hundred dollars;
- The Chief Veterinarian shall receive forty-two hundred dollars;
- The Chief Game and Fish Warden shall receive three thousand six hundred dollars;
- Each food standard officer shall receive four hundred and fifty dollars.

*In the Department of Labor:*

- The Director of Labor shall receive five thousand dollars;
- The Assistant Director of Labor shall receive three thousand dollars;
- The Chief Factory Inspector shall receive three thousand dollars;
- The Superintendent of Free Employment offices shall receive three thousand dollars;
- The Chief Inspector of Private Employment agencies shall receive three thousand dollars;
- Each Industrial Officer shall receive five thousand dollars.

*In the Department of Mines and Minerals:*

- The Director of Mines and Minerals shall receive five thousand dollars;
- The Assistant Director of Mines and Minerals shall receive three thousand dollars;
- Each mine officer shall receive five hundred dollars;
- Each miners' examining officer shall receive one thousand eight hundred dollars.

*In the Department of Public Works and Buildings:*

- The Director of Public Works and Buildings shall receive seven thousand dollars;
- The Assistant Director of Public Works and buildings shall receive four thousand dollars;

The Superintendent of Highways shall receive five thousand dollars;

The Chief Highway Engineer shall receive five thousand dollars;

The Supervising Architect shall receive four thousand dollars;

The Supervising Engineer shall receive four thousand dollars;

The Superintendent of Waterways shall receive five thousand dollars;

The Superintendent of Printing shall receive five thousand dollars;

The Superintendent of Purchases and Supplies shall receive five thousand dollars;

The Superintendent of Parks shall receive twenty-five hundred dollars.

*In the Department of Public Welfare:*

The Director of Public Welfare shall receive seven thousand dollars;

The Assistant Director of Public Welfare shall receive four thousand dollars;

The Alienist shall receive five thousand dollars;

The Criminologist shall receive five thousand dollars;

The Fiscal Supervisor shall receive five thousand dollars;

The Superintendent of Charities shall receive five thousand dollars;

The Superintendent of Prisons shall receive five thousand dollars;

The Superintendent of Pardons and Paroles shall receive five thousand dollars.

*In the Department of Public Health:*

The Director of Public Health shall receive six thousand dollars;

The Assistant Director of Public Health shall receive three thousand six hundred dollars;

The Superintendent of Lodging House Inspection three thousand dollars.

*In the Department of Trade and Commerce:*

The Director of Trade and Commerce shall receive seven thousand dollars;

The Assistant Director of Trade and Commerce shall receive four thousand dollars;

The Superintendent of Insurance shall receive five thousand dollars;

The Fire Marshal shall receive three thousand dollars;

The Superintendent of Standards shall receive twenty-five hundred dollars;

The Chief Grain Inspector shall receive five thousand dollars;

Each public utility commissioner shall receive seven thousand dollars;

The Secretary of the Public Utilities Commission shall receive four thousand dollars.

*In the Department of Registration and Education:*

The Director of Registration and Education shall receive five thousand dollars;

The Assistant Director of Registration and Education shall receive three thousand six hundred dollars;

The Superintendent of Registration shall receive four thousand two hundred dollars.

SEC. 10. No member of an advisory and non-executive board shall receive any compensation.

SEC. 11. Each executive and administrative officer, except the two food standard officers, the members of the Mining Board, and the members of the Normal School Board shall devote his entire time to the duties of his office and shall hold no other office or position of profit.

SEC. 12. Each officer whose office is created by this Act shall be appointed by the Governor, by and with the advice and consent of the Senate. In any case of vacancy in such offices during the recess of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate, shall hold his office during the remainder of the term and until his successor shall be appointed and qualified. If the Senate is not in session at the time this Act takes effect, the Governor shall make a temporary appointment as in case of a vacancy.

SEC. 13. Each officer whose office is created by this Act, except as otherwise specifically provided for in this Act, shall hold office for a term of four years from the second Monday in January next after the election of a Governor, and until his successor is appointed and qualified.

Three members of the Normal School Board first appointed shall hold office until the second Monday in January, A. D. 1919, three

until the second Monday in January, A. D. 1921, and three until the second Monday in January, A. D. 1923. After the expiration of the terms of office of those first appointed, their respective successors shall hold office for a term of six years.

SEC. 14. Each officer whose office is created by this Act shall, before entering upon the duties of his office, take and subscribe the constitutional oath of office, which shall be filed in the office of the Secretary of State.

SEC. 15. Each executive and administrative officer whose office is created by this Act shall, before entering upon the discharge of the duties of his office, give bond, with security to be approved by the Governor, in such penal sum as shall be fixed by the Governor, not less in any case than ten thousand dollars, conditioned for the faithful performance of his duties, which bond shall be filed in the office of the Secretary of State.

SEC. 16. The director of each department is empowered to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its employees and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, books, documents, and property pertaining thereto.

SEC. 17. Each department shall maintain a central office in the capitol building at Springfield, in rooms provided by the Secretary of State. The director of each department may, in his discretion and with the approval of the Governor, establish and maintain, at places other than the seat of government, branch offices for the conduct of any one or more functions of his department.

SEC. 18. Each department shall be open for the transaction of public business at least from eight-thirty o'clock in the morning until five o'clock in the evening of each day except Sundays and days declared by the negotiable instrument Act to be holidays.

SEC. 19. Each department shall adopt and keep an official seal.

SEC. 20. Each department is empowered to employ, subject to civil service laws in force at the time the employment is made, necessary employees, and, if the rate of compensation is not otherwise fixed by law, to fix their compensation.

SEC. 21. All employees in the several departments shall render not less than seven and one-half hours of labor each day, Saturday afternoons, Sundays, and days declared by the negotiable instrument

Act to be holidays excepted in cases in which, in the judgment of the director, the public service will not thereby be impaired.

SEC. 22. Each employee in the several departments shall be entitled during each calendar year to fourteen days' leave of absence with full pay. In special and meritorious cases where to limit the annual leave to fourteen days in any one calendar year would work peculiar hardship, it may, in the discretion of the director of the department, be extended.

SEC. 23. No employee in the several departments, employed at a fixed compensation, shall be paid for any extra services, unless expressly authorized by law.

SEC. 24. Nothing in this Act shall be construed to amend, modify, or repeal the state civil service law, or to extend the application thereof to any position created by this act where the duties to be performed under such position do not now exist or are now performed by an officer or employee not in the classified civil service of the state. Every officer and employee in the classified civil service at the time this Act takes effect shall be assigned to a position in the proper department created by this Act, having, so far as possible, duties equivalent to his former office or employment, and such officers and employees shall be employees of the state in the classified civil service of the state, of the same standing, grade, and privileges which they respectively had in the office, board, commission or institution from which they were transferred, subject, however, to existing and future civil service laws. This section shall not be construed to require the retention of more employees than are necessary to the proper performance of the functions of the departments.

SEC. 25. Each director of a department shall annually on or before the first day of December, and at such other times as the Governor may require, report in writing to the Governor concerning the condition, management, and financial transactions of their respective departments. In addition to such reports, each director of a department shall make the semi-annual and biennial reports provided by the Constitution. The departments shall make annual and biennial reports at the time prescribed in this section, and at no other time.

SEC. 26. The directors of departments shall devise a practical and working basis for coöperation and coördination of work, eliminating duplication and overlapping of functions. They shall, so far as practicable, coöperate with each other in the employment of services

and the use of quarters and equipment. The director of any department may empower or require an employee of another department, subject to the consent of the superior officer of the employee, to perform any duty which he might require of his own subordinates.

SEC. 27. The gross amount of money received by every department, from whatever source, belonging to or for the use of the state, shall be paid into the state treasury, without delay, not later in any event than ten days after the receipt of the same, without any deduction on account of salaries, fees, costs, charges, expenses or claim of any description whatever. No money belonging to, or for the use of, the state shall be expended or applied by any department except in consequence of an appropriation made by law and upon the warrant of the Auditor of Public Accounts.

SEC. 28. In the construction of buildings for the various departments, or in doing other construction work in or about buildings and grounds, exceeding the estimated value of one thousand dollars, contracts therefor shall be let to the lowest responsible bidder. Supplies for the several departments, except in cases of emergency and in the case of perishable goods, shall be purchased in large quantities and contracts therefor shall be let to the lowest responsible bidder. Advertisements for bids for doing such construction work, or furnishing such supplies, shall be published for at least three days, the first and last of which publications shall be at least ten days apart, in one or more newspapers of general circulation published in each of the seven largest cities of the state determined by the then last preceding Federal Census, and, also, in one secular English newspaper selected by the Department of Public Works and Buildings by competitive bidding in the same manner as it is herein provided other contracts may be let and designated as an "official newspaper," which newspaper so selected shall continue to be the official newspaper for a period of one year from the time of its selection. The proposals shall be publicly opened on the day and hour and at the place mentioned in the advertisement and any and all bids may be rejected and when rejected a re-advertisement shall be made in the manner above provided.

SEC. 29. All supplies of fuel purchased for the departments shall be let by contract to the lowest bidder. Advertisements for bids shall be published for at least ten days in one or more of the daily newspapers of general circulation published in each of the seven largest cities of the state, determined by the then last preceding



Federal Census. The officer authorized by law to make contracts for fuel shall prescribe rules and regulations to be observed in the preparation, submission, and opening of bids. All contracts for fuel shall be made subject to the approval of the Governor.

SEC. 30. The price paid for fuel shall not exceed the following:

For anthracite coal, twelve dollars per ton;

For Pennsylvania bituminous, Pocahontas, and West Virginia smokeless, eastern Kentucky and Ohio coals, all of the bituminous type, nine dollars per ton;

For Illinois, Indiana, western Kentucky, Missouri and Iowa coals, all of the bituminous type, seven dollars per ton;

For any other coal of the bituminous type, seven dollars per ton.

SEC. 31. Whenever in this Act power is vested in a department to inspect, examine, secure data or information, or to procure assistance from another department, a duty is hereby imposed upon the department upon which demand is made, to make such power effective.

SEC. 32. Whenever rights, powers, and duties, which have heretofore been vested in or exercised by any officer, board, commission, institution or department, or any deputy, inspector or subordinate officer thereof, are, by this Act, transferred, either in whole or in part, to or vested in a department created by this Act, such rights, powers, and duties shall be vested in, and shall be exercised by, the department to which the same are hereby transferred, and not otherwise, and every act done in the exercise of such rights, powers, and duties shall have the same legal effect as if done by the former officer, board, commission, institution or department, or any deputy, inspector or subordinate officer thereof. Every person and corporation shall be subject to the same obligations and duties and shall have the same rights arising from the exercise of such rights, powers, and duties as if such rights, powers, and duties were exercised by the officer, board, commission, department or institution, or deputy, inspector or subordinate thereof, designated in the respective laws which are to be administered by departments created by this Act. Every person and corporation shall be subject to the same penalty or penalties, civil or criminal, for failure to perform any such obligation or duty, or for doing a prohibited act, as if such obligation or duty arose from, or such act were prohibited in, the exercise of such right, power or duty by the officer, board, com-

mission, or institution, or deputy, inspector or subordinate thereof, designated in the respective laws which are to be administered by departments created by this Act. Every officer and employee shall, for any offense, be subject to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer or employee whose powers or duties devolved upon him under this Act. All books, records, papers, documents, property, real and personal, unexpended appropriations, and pending business in any way pertaining to the rights, powers, and duties so transferred to or vested in a department created by this Act, shall be delivered and transferred to the department succeeding to such rights, powers, and duties.

SEC. 33. Wherever reports or notices are now required to be made or given, or papers or documents furnished or served by any person to or upon any officer, board, commission, or institution, or deputy, inspector or subordinate thereof, abolished by this Act, the same shall be made, given, furnished, or served in the same manner to or upon the department upon which are devolved by this Act the rights, powers, and duties now exercised or discharged by such officer, board, commission, or institution, or deputy, inspector or subordinate thereof; and every penalty for failure so to do shall continue in effect.

SEC. 34. This Act shall not affect any act done, ratified or confirmed or any right accrued or established, or any action or proceeding had or commenced in a civil or criminal cause before this Act takes effect; but such actions or proceedings may be prosecuted and continued by the department having jurisdiction, under this Act, of the subject matter to which such litigation or proceeding pertains.

SEC. 35. The following offices, boards, commissions, arms, and agencies of the State government heretofore created by law, are hereby abolished, viz: Superintendent of Printing, Board of Live Stock Commissioners, secretary of the board of live stock commissioners; State Veterinarian, Board of Veterinary Examiners, Stallion Registration Board, secretary of the stallion registration board, Board of Examiners of Horseshoers, secretary of the board of examiners of horseshoers, State Inspector of Apiaries, State Game and Fish Commission, game and fish wardens, deputy game and fish wardens, advisory board of managers of free employment offices, local boards of managers of free employment offices, general

superintendent of free employment offices in each city having a population of one million or over, department superintendent of free employment offices in each city having a population of one million or over, assistant department superintendents of free employment offices in each city having a population of one million or over, clerks of free employment offices in free employment offices in each city having a population of one million or over, superintendent of free employment offices in cities of less than one million population, assistant superintendents of free employment offices in cities of less than one million population, clerks of free employment offices in cities of less than one million population, chief inspector of private employment agencies, assistant inspectors of private employment agencies, chief State Factory Inspector, assistant chief factory inspector, physician for chief State factory inspector, deputy factory inspectors, State Board of Arbitration and Conciliation, secretary of the State board of arbitration and conciliation, the Industrial Board, secretary of the industrial board, State Mining Board, chief clerk of the State mining board, State mine inspectors, miners' examining commissioners, constituting the miners' examining board, Mine Fire Fighting and Rescue Station Commission, Superintendents of mine fire fighting and rescue stations, assistant superintendents of mine fire fighting and rescue stations, State Highway Department, the State Highway Commission, chief State Highway Engineer, assistant State highway engineer, the canal commissioners, rivers and lakes commission, Illinois Waterways Commission, Illinois Park Commission, Fort Massac Trustees, Lincoln Homestead Trustees, Board of Commissioners of and for the Lincoln Monument and Grounds, State Board of Examiners of Architects, State Board of Examiners of Structural Engineers, secretary of the State board of examiners of structural engineers, secretary-treasurer of the State board of examiners of architects, State Inspector of Masonry, Public Buildings and Works, assistant State inspectors of masonry, public buildings and works, the Board of Administration, State Deportation Agent, assistant State deportation agent, State Agent for Visitation of Children placed in family homes, commissioners of the Illinois State Penitentiary, warden of the Illinois State Penitentiary, deputy warden of the Illinois State Penitentiary, chaplains of the Illinois State Penitentiary, physician of the Illinois State Penitentiary, steward of the Illinois State Penitentiary, matron of the Illinois State Penitentiary, the commissioners

of the Southern Illinois Penitentiary, warden of the Southern Illinois Penitentiary, deputy warden of the Southern Illinois Penitentiary, chaplains of the Southern Illinois Penitentiary, physician of the Southern Illinois Penitentiary, steward of the Southern Illinois Penitentiary, matron of the Southern Illinois Penitentiary, board of managers of Illinois State Reformatory, general superintendent of the Illinois State Reformatory, chaplain of the Illinois State Reformatory, physician of the Illinois State Reformatory, the Board of Prison Industries of Illinois, the Board of Classification, Board of Pardons, clerk of the board of pardons, stenographer of the board of pardons, State Board of Health, secretary and executive officer of the State board of health, Board of Pharmacy, secretary of the board of pharmacy, Illinois State Board of Dental Examiners, secretary of the Illinois State board of dental examiners, Illinois State Board of Nurse Examiners, secretary of the Illinois State board of nurse examiners, State Board of Optometry, secretary of the State board of optometry, Board of Barber Examiners, secretary and treasurer of the board of barber examiners, State Food Commissioner, assistant State food commissioner, State Analyst, chief clerk of the State food commissioner, assistant clerk of the State food commissioner, stenographers of the State food commissioners, inspectors of the State food commissioner, bacteriologist of the State food commissioner, analytical chemist of the State food commissioner, laboratory janitor for the food commissioner, Food Standard Commission, State Public Utilities Commission, secretary of the State public utilities commission, Chief Inspector of Grain, deputy grain inspectors, deputy chief inspector of grain of the East St. Louis district, Warehouse Registrar, assistant warehouse registrars, State weighmasters, registrar of the grain inspection department, inspectors of automatic couplers, power brakes, and grab irons or hand holds on railroad locomotives, tenders, cars, and similar vehicles, Insurance Superintendent, State Fire Marshal, first deputy State fire marshal, second deputy State fire marshal, chief deputy fire marshal, deputy State fire marshals, assistant fire marshals, the Board of Education of the State of Illinois, board of trustees of the Southern Illinois Normal University, board of trustees of the Northern Illinois State Normal School, board of trustees of the Eastern Illinois State Normal School, and the board of trustees of the Western Illinois State Normal School.

## THE DEPARTMENT OF FINANCE

SEC. 36. The Department of Finance shall have power:

1. To prescribe and require the installation of a uniform system of bookkeeping, accounting, and reporting for the several departments;

2. To prescribe forms for accounts and financial reports and statements for the several departments;

3. To supervise and examine the accounts and expenditures of the several departments;

4. To examine, at any and all times, into the accuracy and legality of the accounts, receipts, and expenditures of the public moneys and the disposition and use of the public property by the several departments;

5. To keep such summary and controlling accounts as may be necessary to determine the accuracy of the detail accounts and reports from the several departments, and to prescribe the manner and method of certifying that funds are available and adequate to meet all contracts and obligations;

6. To prescribe uniform rules governing specifications for purchases of supplies, the advertisement for proposals, the opening of bids and the making of awards, to keep a catalogue of prices current, and to analyze and tabulate prices paid and quantities purchased;

7. To examine, at any and all times, the accounts of every private corporation, institution, association or board receiving appropriations from the General Assembly;

8. To report to the Attorney General for such action, civil or criminal, as the Attorney General may deem necessary, all facts showing illegal expenditures of the public money or misappropriation of the public property;

9. To examine and approve, or disapprove, vouchers, bills, and claims of the several departments, and such as are by law made subject to the approval of the Governor and referred to it by the Governor, and no voucher, bill or claim of any department shall be allowed without its approval and certificate;

10. To prescribe the form of receipt, voucher, bill or claim to be filed by the several departments with it;

11. In settling the accounts of the several departments, to inquire into and make an inspection of articles and materials furnished or work and labor performed, for the purpose of ascer-

taining that the prices, quality, and amount of such articles or labor are fair, just, and reasonable, and that all the requirements, express and implied, pertaining thereto have been complied with, and to reject and disallow any excess;

12. To prepare and report to the Governor, when requested, estimates of the income and revenues of the state;

13. To prepare and submit to the Governor biennially, not later than the first day of January preceding the convening of the General Assembly, a state budget;

14. To publish, from time to time, for the information of the several departments and of the general public, bulletins of the work of the government;

15. To investigate duplication of work of departments and the efficiency of the organization and administration of departments, and to formulate plans for the better coördination of departments.

SEC. 37. In the preparation of a state budget, the Director of Finance shall, not later than the fifteenth day of September in the year preceding the convening of the General Assembly, distribute to all departments and to all offices and institutions of the state government (including the elective officers in the executive department and including the University of Illinois and the judicial department) the proper blanks necessary to the preparation of budget estimates, which blanks shall be in such form as shall be prescribed by the Director of Finance, to procure, among other things, information as to the revenues and expenditures for the two preceding fiscal years, the appropriations made by the previous General Assembly, the expenditures therefrom, encumbrances thereon, and the amounts unencumbered and unexpended, an estimate of the revenues and expenditures of the current fiscal year, and an estimate of the revenues and amounts needed for the respective departments and offices for the two years next succeeding beginning at the expiration of the first fiscal quarter after the adjournment of the General Assembly. Each department, office, and institution (including the elective officers in the executive and judicial departments and including the University of Illinois) shall, not later than the first day of November, file in the office of the Director of Finance its estimates of receipts and expenditures for the succeeding biennium. Such estimates shall be accompanied by a statement in writing giving facts and explanation of reasons for each item of expenditure requested. The Director of Finance may, in his dis-

cretion, make further inquiries and investigations as to any item desired. He may approve, disapprove or alter the estimates. He shall, on or before the first day of January preceding the convening of the General Assembly, submit to the Governor in writing his estimates of revenues and appropriations for the next succeeding biennium.

SEC. 38. The Governor shall as soon as possible and not later than four weeks, after the organization of the General Assembly submit a state budget, embracing therein the amounts recommended by him to be appropriated to the respective departments, offices, and institutions, and for all other public purposes, the estimated revenues from taxation, the estimated revenues from sources other than taxation, and an estimate of the amount required to be raised by taxation. Together with such budget the Governor shall transmit the estimates of receipts and expenditures as received by the Director of Finance, of the elective officers in the executive and judicial departments and of the University of Illinois.

SEC. 39. Each department shall, before an appropriation to such department becomes available for expenditure, prepare and submit to the Department of Finance an estimate of the amount required for each activity to be carried on, and accounts shall be kept and reports rendered showing the expenditures for each such purpose.

#### THE DEPARTMENT OF AGRICULTURE

SEC. 40. The Department of Agriculture shall have power:

1. To exercise the rights, powers, and duties vested by law in the Board of Live Stock Commissioners, its officers, and employees, except under the Act regulating the practice of veterinary medicine and surgery;
2. To exercise the rights, powers, and duties vested by law in the State Veterinarian, his assistants, and employees;
3. To exercise the rights, powers, and duties vested by law in the Stallion Registration Board, its officers and employees;
4. To exercise the rights, powers, and duties vested by law in the State Inspector of Apiaries, his assistants, and employees;
5. To exercise the rights, powers, and duties vested by law in the State Game and Fish Commission, its wardens, deputy wardens, officers, and employees;
6. To exercise the rights, powers, and duties vested by law in the State Food Commissioner, food standard commission, and the other officers and employees of the State Food Department;

7. To exercise the rights, powers, and duties vested by law in the State Entomologist, his officers, and employees;

8. To execute and administer the act to prevent fraud in the manufacture and sale of commercial fertilizers;

9. To encourage and promote, in every practicable manner, the interests of agriculture, including horticulture, the live stock industry, dairying, cheese making, poultry, bee keeping, forestry, fishing, the production of wool, and all other allied industries;

10. To promote improved methods of conducting these several industries with a view to increasing the production and facilitate the distribution thereof at the least cost;

11. To collect and publish statistics relating to crop production and marketing, the production of and marketing beef, pork, poultry, fish, mutton, wool, butter, cheese, and other agricultural products so far as such statistical information may be of value to the agricultural and allied interests of the state;

12. To encourage the planting of trees and shrubs and the improvement of farm homes generally;

13. To produce and manufacture biological products to be distributed to live stock producers at the actual cost thereof;

14. To inquire into the causes of contagious, infectious, and communicable diseases among domestic animals, and the means for the prevention and cure of the same;

15. To take all measures necessary for the preservation, distribution, introduction, and restoration of fish, game birds, and other wild birds;

16. To be custodian of the state fair grounds, buildings, and other property belonging or attached thereto, and to maintain the same;

17. To hold annually a state fair in order to promote improved methods of agriculture, to encourage an increased yield of grains, grasses, fruits, vegetables, and other crops and the raising of improved breeds of live stock and poultry, to acquaint farmers with the latest implements and machinery of agriculture, and to encourage the manufacture of butter, cheese, and other products of agriculture;

18. To adopt and promulgate rules and regulations governing the holding of the state fair, which rules and regulations shall prescribe the kinds and classes of exhibits, the conditions under which they shall be received, installed, and cared for, the conditions



under which racing shall be permitted in the fair grounds and the rules governing the same, the premiums to be offered and paid, the price of admission which shall be charged in all cases except for exhibitors and their *bona fide* employees, all honorably discharged soldiers and sailors of the War of the Rebellion, the Spanish-American War, the Philippine insurrection, and the Boxer uprising in China, and for children under five years of age, the methods by which judges of exhibits may be employed, and the manner certificates of award shall be prepared and premiums paid;

19. To police the state fair grounds, to maintain and preserve order thereon, and protect exhibits from theft, injury or destruction;

20. To assist, encourage, and promote the organization of farmers' institutes, horticultural and agricultural societies, the holding of fairs, fat stock shows or other exhibits of the products of agriculture;

21. To investigate and ascertain that moneys appropriated for county fairs and farmers' institutes are faithfully applied to the purposes authorized by law;

22. To see that live stock at stock yards, breweries, distilleries, and other like places where live stock are confined, housed or fed, are properly cared for.

SEC. 41. The Director of Agriculture shall promulgate no standard of quality, purity and strength of food products for this state except that determined by the Food Standard Commission.

SEC. 42. The people of the State of Illinois shall succeed to all the right, title, and interest of the State Board of Agriculture in and to the state fair grounds, and to all lands, buildings, money, unexpended appropriations or other property connected therewith.

#### THE DEPARTMENT OF LABOR

SEC. 43. The Department of Labor shall have power:

1. To exercise the rights, powers, and duties vested by law in the commissioners of labor, the secretary, other officers and employees, of said commissioners of labor;

2. To exercise the rights, powers, and duties vested by law in the superintendents and assistant superintendents of free employment offices, general advisory board of free employment offices, local advisory boards of free employment offices, and other officers and employees of free employment offices;

3. To exercise the rights, powers, and duties vested by law in

the chief inspector of private employment agencies, inspectors of private employment agencies, their subordinate officers and employees;

4. To exercise the rights, powers, and duties vested by law in the chief factory inspector, assistant chief State factory inspector, deputy factory inspector, and all other officers and employees of the State factory inspection service;

5. To exercise the rights, powers, and duties vested by law in the State Board of Arbitration and Conciliation, its officers and employees;

6. To exercise the rights, powers and duties vested by law in the Industrial Board, its officers, and employees;

7. To foster, promote, and develop the welfare of wage earners;

8. To improve working conditions;

9. To advance opportunities for profitable employment;

10. To collect, collate, assort, systematize, and report statistical details relating to all departments of labor; especially in its relation to commercial, industrial, social, educational, and sanitary conditions, and to the permanent prosperity of the manufacturing and productive industries;

11. To collect, collate, assort, systematize, and report statistical details of the manufacturing industries and commerce of the state;

12. To acquire and diffuse useful information on subjects connected with labor in the most general and comprehensive sense of that word;

13. To acquire and diffuse among the people useful information concerning the means of promoting the material, social, intellectual, and moral prosperity of laboring men and women;

14. To acquire information and report upon the general condition; so far as production is concerned, of the leading industries of the state;

15. To acquire and diffuse information as to the conditions of employment, and such other facts as may be deemed of value to the industrial interests of the state;

16. To acquire and diffuse information in relation to the prevention of accidents, occupational diseases, and other related subjects.

SEC. 44. The Department of Labor shall exercise and discharge the rights, powers, and duties vested by law in the Industrial Board under an Act entitled, "An Act to promote the general

welfare of the people of this state by providing compensation for accidental injuries or death suffered in the course of employment in this State; providing for the enforcement and administering thereof, and a penalty for its violation, and repealing an Act entitled, 'An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment,' approved June 10, 1911, in force May 1, 1912," approved June 28, 1913, in force July 1, 1913, or any future amendments thereto or modifications thereof.

Said Act and all amendments thereto and modifications thereof, if any, shall be administered by the Industrial Commission created by this Act, and in its name, without any direction, supervision, or control by the Director of Labor.

The Industrial Commission shall also, in its name and without any direction, supervision or control by the director, administer the arbitration and conciliation Act.

#### THE DEPARTMENT OF MINES AND MINERALS

SEC. 45. The Department of Mines and Minerals shall have power:

1. To exercise the rights, powers, and duties vested by law in the State Mining Board, its officers and employees;

2. To exercise the rights, powers, and duties vested by law in the state mine inspectors;

3. To exercise the rights, powers, and duties vested by law in the Miners' Examining Commission, its officers and employees;

4. To exercise the rights, powers, and duties vested by law in the Mine Fire Fighting and Rescue Station Commission, superintendents and assistant superintendents, other officers and employees of the several mine rescue stations;

5. To acquire and diffuse information concerning the nature, causes, and prevention of mine accidents;

6. To acquire and diffuse information concerning the improvement of methods, conditions, and equipment of mines, with special reference to health, safety, and conservation of mineral resources;

7. To make inquiries into the economic conditions affecting the mining, quarrying, metallurgical, clay, oil, and other mineral industries;

8. To promote the technical efficiency of all persons working in and about the mines of the state, and to assist them better to overcome the increasing difficulties of mining, and for that purpose to provide bulletins, traveling libraries, lectures, correspondence work, classes for systematic instruction, or meetings for the reading and discussion of papers, and to that end to cooperate with the University of Illinois.

SEC. 46. The Mining Board, in the Department of Mines and Minerals, shall:

1. Hold such meetings, from time to time, as may be necessary for the proper discharge of its duties;

2. Conduct the examination and pass upon the practical and technological qualifications and personal fitness of all persons employed in the Department of Mines and Minerals as inspectors of mines;

3. Conduct examinations and pass upon the practical and technological qualifications and personal fitness of persons seeking certificates of competency as mine managers, mine examiners, and hoisting engineers;

4. Conduct examinations, at the capitol, on the second Tuesday in September of each year and at such other times as may be necessary, of candidates for employment as inspectors of mines;

5. Conduct examinations of persons seeking certificates of competency as mine managers, mine examiners, and hoisting engineers, at such times and places within the state as shall, in the judgment of the board, afford the best facilities to the greatest number of candidates;

6. Give public notice, through the public press, or otherwise, not less than ten days in advance, announcing the time and place at which any examination is to be held;

7. Prescribe uniform rules, conditions, and regulations for the examination of persons seeking employment as inspectors of mines and of those seeking certificates of competency as mine managers, mine examiners, and hoisting engineers;

8. Report in writing to the Director of Mines and Minerals the names of persons qualified to be employed by the Depart-

ment of Mines and Minerals as inspectors of mines, and of those authorized to receive certificates of competency as mine managers, mine examiners, and hoisting engineers;

9. Supervise, control, and direct the state mine inspection service;

10. Have power to remove any inspector of mines or to cancel the certificate of any mine manager, mine examiner, or hoisting engineer, as provided in paragraphs (h) and (i) of Section 3 of an Act entitled, "An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein," approved June 6, 1911, in force July 1, 1911, and all amendments thereto, past or future, or modifications thereof;

11. Preserve and keep on file, for not less than one year, all written examination papers and all other papers of any applicant, and to permit the inspection thereof by any applicant interested, at all reasonable times, and to give to any applicant a certified copy of any or all of his papers.

SEC. 47. The Director of Mines and Minerals shall be the executive officer of the Mining Board and shall execute the orders, rules, and regulations made and promulgated by the Mining Board, and shall issue, in the name of the Department of Mines and Minerals, certificates of qualification and competency to persons certified to him by the Mining Board, and to no other persons.

SEC. 48. The Department of Mines and Minerals shall exercise and discharge the rights, powers, and duties vested by law in the miners' examining commissioners, constituting the Miners' Examining Board for the State of Illinois, under an act entitled, "An Act to provide for the safety to persons employed in and about coal mines, and to provide for the examination of persons seeking employment therein, in order that only competent persons may be employed as miners, and to create a board of examiners for this purpose, and to provide a penalty for the violation of the same, and to repeal an Act entitled, 'An Act to amend an Act entitled, "An Act to provide for the safety of persons employed in and about coal mines and to provide for the examination of persons seeking employment as coal miners, and providing penalties for the violation of the same," approved June 1, 1908, in force July 1, 1908,' approved June 5, 1909, in

force July 1, 1909," approved June 27, 1913 in force July 1, 1913, and all amendments thereto, past or future, or modifications thereof.

Said Act and all amendments thereto and modifications thereof, if any, shall be administered by the Miners' Examining Board created by this Act, and in its name, without any direction, supervision or control by the Director of Mines and Minerals, or by the mining board.

THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS

SEC. 49. The Department of Public Works and Buildings shall have power:

1. To exercise the rights, powers, and duties vested by law in the State Highway Department, the State Highway Commission, the chief state highway engineer, the assistant state highway engineer, and other officers and employees of the state highway service;

2. To exercise the rights, powers, and duties vested by law in "The Canal Commissioners," their officers and employees;

3. To exercise the rights, powers, and duties vested by law in the Rivers and Lakes Commission of Illinois, its officers and employees;

4. To exercise the rights, powers, and duties vested by law in the Illinois Waterways Commission, its secretary, chief engineers, its other officers and employees;

5. To exercise the rights, powers, and duties vested by law in the Illinois Park Commission, its officers and employees;

6. To exercise the rights, powers, and duties vested by law in the Fort Massac Trustees, their officers and employees;

7. To exercise the rights, powers, and duties vested by law in the Lincoln Homestead Trustees, their officers and employees;

8. To exercise the rights, powers, and duties vested by law in the Board of Commissioners of and for the Lincoln Monument and Grounds, its officers and employees;

9. To exercise the rights, powers, and duties vested by law in the Superintendent of Printing, his officers and employees;

10. To make contracts for and superintend the telegraph and telephone service for the several departments;

11. To purchase and supply all fuel, light, water, and other like office and building services for the several departments

except where the same are now supplied by the Secretary of State.

12. To procure and supply all furniture, general office equipment, and general office supplies (other than stationery and office supplies distributed through the office of the Secretary of State) needed by the several departments;

13. To procure and supply all clothing, instruments, and apparatus, subsistence, and provisions for the charitable, penal, and reformatory institutions;

14. To procure and supply all cots, beds, bedding, general room and cell equipment, table, kitchen and laundry equipment, agricultural implement, harness, stable and garage supplies, household supplies, periodicals, machinery and tools, medicines and medical supplies, plumbing, light and engine supplies, wagons and other vehicles, and workshop supplies needed by the several departments;

14a. To purchase and supply all necessary tools, machinery, supplies, and materials to be used by the state in or about constructing or maintaining state highways;

15. To prepare, or cause to be prepared, general plans, preliminary sketches and estimates for the public buildings to be erected for any department;

16. To have general supervision over the erection and construction of public buildings erected for any department, and over the inspection of all materials previous to their incorporation into such buildings or work;

17. To make contracts for, and supervise the construction and repair of buildings under the control of any department;

18. To prepare and suggest comprehensive plans for the development of grounds and buildings under the control of any department.

19. To make and provide all drawings, plans, specifications, and models for the construction and perfection of all systems of sewerage, drainage, and plumbing for the state in connection with the buildings and grounds under the control of any department;

20. To erect, supervise, and maintain all public monuments and memorials erected by the state except where the supervision and maintenance thereof is otherwise provided by law;

21. To lease, for a term not exceeding two years, storage accommodations for the several departments;

22. To lease, for a term not exceeding two years, unproductive and unused lands or other property under the control of any department, unless longer leases thereof are expressly authorized by some law enforced by the department;

23. To lease, for a term not exceeding two years, office space in buildings for the use of the several departments;

24. To have general supervision and care of storerooms and offices leased for the use of the departments.

SEC. 50. The advisory and nonexecutive boards in the Department of Public Works shall discharge the following advisory powers and functions:

The Board of Art Advisors shall advise relative to the artistic character of state buildings, works, and monuments, now or hereafter constructed, and to any work of a permanent character intended for decoration or commemoration;

The Board of Water Resource Advisors shall advise relative to riparian rights of the state, and the conservation, use, and development of water resources;

The Board of Highway Advisors shall advise relative to the construction, improvement, and maintenance of state highways;

The Board of Parks and Buildings Advisors shall advise relative to the construction, improvement, and maintenance of state parks, buildings, and monuments.

SEC. 51. The Director of Public Works is authorized, with the consent in writing of the Governor, to acquire, by private purchase or by condemnation under the Eminent Domain Act, the necessary lands for the public buildings and grounds for the departments.

SEC. 52. All moneys received by the Director of Public Works from rents, leases, sale of property or from any other source in connection with the management of the Illinois and Michigan Canal shall be covered into the state treasury, and shall be placed by the State Treasurer to the credit of a special fund to be known as the "Illinois and Michigan Canal fund."

#### THE DEPARTMENT OF PUBLIC WELFARE

SEC. 53. The Department of Public Welfare shall have power:

1. To exercise the rights, powers, and duties vested by law



in the Board of Administration, the fiscal supervisor, and other officers and employees of the Board of Administration;

2. To exercise the rights, powers, and duties vested by law in the State Deportation Agent, his assistants, other officers and employees;

3. To exercise the rights, powers, and duties vested by law in the State Agent for the Visitation of Children, his assistants, other officers and employees;

4. To exercise the rights, powers, and duties vested by law in the commissioners, warden, deputy wardens, chaplains, physicians, stewards, matrons, turnkeys, watchmen, and all other officers and employees of the Illinois State Penitentiary of Joliet;

5. To exercise the rights, powers, and duties vested by law in the commissioners, warden, deputy warden, chaplain, physician, steward, matron, turnkeys, watchmen and all other officers and employees of the Southern Illinois Penitentiary;

6. To exercise the rights, powers, and duties vested by law in the Board of Managers of the Illinois State Reformatory, its superintendent, chaplain, physician, and all other officers and employees;

7. To exercise the rights, powers, and duties vested by law in the Board of Prison Industries of Illinois, its officers and employees;

8. To exercise the rights, powers, and duties vested by law in the Board of Prison Industries of Illinois, the president of the State Board of Public Charities, and the Auditor of Public Accounts of Illinois, constituting a board known as the Board of Classification, its officers and employees;

9. To exercise the rights, powers, and duties vested by law in the Board of Pardons, its secretary and other officers and employees.

SEC. 54. The Board of Public Welfare Commissioners shall, in addition to the power vested by this Act in advisory and non-executive boards, have power, and it shall be its duty:

1. To investigate into the condition and management of the whole system of charitable, penal, and reformatory institutions of the state, including state hospitals, penitentiaries, reformatories, jails, and almshouses;

2. To investigate, when directed by the Governor, into any or all phases of the equipment, management or policy of any

state charitable, penal, or reformatory institution, and report its findings and recommendations to the Governor;

3. To inquire into the equipment, management, and policies of all institutions and organizations coming under the supervision and inspection of the Department of Public Welfare;

4. To collect and publish annually statistics relating to insanity and crime.

#### THE DEPARTMENT OF PUBLIC HEALTH

SEC. 55. The Department of Public Health shall have power:

1. To exercise the rights, powers, and duties vested by law in the State Board of Health, its secretary and executive officer, other officers and employees, except the rights, powers, and duties vested by law in the State Board of Health under the Act to Regulate the Practice of Medicine and the Act to Regulate the Practice of Embalming;

2. To have the general supervision of the interests of the health and lives of the people of the state;

3. To act in advisory capacity relative to public water supplies, water purification works, sewerage system, and sewage treatment works, and to exercise supervision over nuisances growing out of the operation of such water and sewage works, and to make, promulgate, and enforce rules and regulations relating to such nuisances;

4. To make such sanitary investigations as it may, from time to time, deem necessary for the preservation and improvement of public health;

5. To make examinations into nuisances and questions affecting the security of life and health in any locality in the state;

6. To maintain chemical, bacteriological, and biological laboratories, to make examinations of milk, water, sewage, wastes, and other substances, and to make such diagnosis of diseases as may be deemed necessary for the protection of the people of the state;

7. To purchase and distribute free of charge to citizens of the state diphtheria antitoxin, typhoid vaccine, smallpox vaccine, and other sera, vaccines, and prophylactics such as are of recognized efficiency in the prevention and treatment of communicable diseases;

8. To obtain, collect, and preserve such information relative to mortality, morbidity, disease, and health as may be useful in the discharge of its duties or may contribute to the promotion of health or to the security of life in this state;

9. To make investigations and inquiries with respect to the causes of disease, especially epidemics, and to investigate the causes of mortality and the effect of localities, and other conditions upon the public health, and to make such other sanitary investigations as it may deem necessary for the preservation and improvement of the public health;

10. To keep informed of the work of local health officers and agencies throughout the state;

11. To promote the information of the general public in all matters pertaining to public health;

12. To supervise, aid, direct, and assist local health authorities or agencies in the administration of the health laws;

13. To enlist the coöperation of organizations of physicians and other agencies for the promotion of the public health in the improvement of health and sanitary conditions throughout the state;

14. To make sanitary, sewage, health, and other inspections and examinations for the charitable, penal, and reformatory institutions and the normal schools;

15. To inspect, from time to time, all hospitals, sanitarium, and other institutions conducted by county, city, village, or township authorities, and to report as to the sanitary conditions and needs of such hospitals, sanitarium, and institutions to the official authority having jurisdiction over them;

16. To print, publish, and distribute documents, reports, bulletins, certificates, and other matter relating to the prevention of diseases and the health and sanitary condition of the state.

THE DEPARTMENT OF TRADE AND COMMERCE

SEC. 56. The Department of Trade and Commerce shall have power:

1. To exercise through the Public Utilities Commission created by this Act all the rights, powers, and duties vested by law in the State Public Utilities Commission, its officers and employees;

2. To exercise the rights, powers, and duties vested by law in the Insurance Superintendent, his officers and employees;

3. To exercise the rights, powers, and duties vested by law in the Chief Inspector of Grain, deputy grain inspectors, deputy chief grain inspector, and the warehouse registrar, the assistant warehouse registrars, state weighmasters, assistant state weighmasters, and other officers and employees of the grain inspection service;

4. To exercise the rights, powers, and duties vested by law in the inspectors of automatic couplers, power brakes, and grab irons or hand holds on railroad locomotives, tenders, cars, and similar vehicles, their officers and employees;

5. To exercise the rights, powers, and duties vested by law in the State Fire Marshal, deputy state fire marshal, inspectors and other officers and employees of the State Fire Marshal;

6. To execute and administer all laws and regulations, now or hereafter enacted, relating to weights and measures;

7. To execute and administer all laws and regulations, now or hereafter enacted, relating to standards of quantity and quality of and for commodities;

8. To execute and administer all laws and regulations, now or hereafter enacted, relating to the safety and purity of illuminating oils and gasoline.

SEC. 57. The Public Utilities Commission created by this Act shall exercise and discharge the rights, powers, and duties vested by law in the State Public Utilities Commission under an Act entitled, "An Act to Provide for the Regulation of Public Utilities," approved June 30, 1913, in force January 1, 1914, or any future amendments thereto or modifications thereof.

Said Act and all amendments thereto and modifications thereof, if any, shall be administered by the Public Utilities Commission created by this Act, and in its name, without any direction, supervision or control by the Director of Trade and Commerce.

#### THE DEPARTMENT OF REGISTRATION AND EDUCATION

SEC. 58. The Department of Registration and Education shall have power:

1. To exercise the rights, powers, and duties vested by law in the Board of Education of the State of Illinois, the board of

trustees of the Southern Normal University at Carbondale, the board of trustees of the Northern Illinois State Normal School at DeKalb, the board of trustees of the Eastern Illinois State Normal School at Charleston, and the board of trustees of the Western Illinois State Normal School at Macomb;

2. To exercise the rights, powers, and duties vested by law in the Board of Veterinary Examiners and the State Board of Live Stock Commissioners relating to the practice of veterinary medicine and surgery in the State of Illinois;

2. To exercise the rights, powers, and duties vested by law in the Board of Examiners of Horseshoers;

4. To exercise the rights, powers, and duties vested by law in the State Board of Examiners of Architects;

5. To exercise the rights, powers, and duties vested by law in the State Board of Examiners of Structural Engineers;

6. To exercise the rights, powers, and duties vested by law in the State Board of Health relating to the practice of medicine, or any of the branches thereof, or midwifery;

7. To exercise the rights, powers, and duties vested by law in the State Board of Health relating to the regulation of the embalming and disposal of dead bodies, and for a system of examination, registration, and licensing of embalmers;

8. To exercise the rights, powers, and duties vested by law in the State Board of Pharmacy;

9. To exercise the rights, powers, and duties vested by law in the Illinois State Board of Dental Examiners;

10. To exercise the rights, powers, and duties vested by law in the Illinois State Board of Nurse Examiners;

11. To exercise the rights, powers, and duties vested by law in the State Board of Optometry;

12. To exercise the rights, powers, and duties vested by law in the State Board of Barber Examiners, its officers and employees;

13. To investigate and study the natural resources of the state and to prepare plans for the conservation and development of the natural resources, and for that purpose the officers and employees thereof may enter and cross all lands in this state, doing no damage to private property;

14. To coöperate with and advise departments having administrative powers and duties relating to the natural resources of

the state, and to coöperate with similar departments in other states and with the United States Government;

15. To conduct a natural history survey of the state, giving preference to subjects of educational and economic importance;

16. To publish, from time to time, reports covering the entire field of zoölogy and botany of the state;

17. To maintain a state museum, and to collect and preserve objects of scientific and artistic value, representing past and present fauna and flora, the life and works of man, geological history, natural resources, and the manufacturing and fine arts;

18. To supply natural history specimens to the state educational institutions and to the public schools;

19. To investigate the entomology of the state;

20. To investigate all insects dangerous or injurious to agricultural or horticultural plants and crops, live stock, to nursery trees and plants, to the products of the truck farm and vegetable garden, to shade trees and other ornamental vegetation of cities and villages, to the products of the mills and the contents of warehouses, and all insects injurious or dangerous to the public health;

21. To conduct experiments with methods for the prevention, arrest, abatement, and control of insects injurious to persons or property;

22. To instruct the people, by lecture, demonstration or bulletin, in the best methods of preserving and protecting their property and health against injuries by insects;

23. To publish, from time to time, articles on the injurious and beneficial insects of the state;

24. To study the geological formation of the state with reference to its resources of coal, ores, clays, building stones, cement, materials suitable for use in the construction of roads, gas, mineral and artesian water, and other products;

25. To publish, from time to time, topographical, geological, and other maps to illustrate the resources of the state;

26. To publish, from time to time, bulletins giving a general and detailed description of the geological and mineral resources of the state;

27. To coöperate with the United States Geological Survey in the preparation and completion of a contour topographical survey and map:

28. To collect facts and data concerning the water resources of the state;

29. To determine standards of purity of drinking water for the various sections of the state;

30. To publish, from time to time, the results of its investigations of the waters of the state to the end that the available water resources of the state may be better known and that the welfare of the people in the various communities may be conserved;

31. To make analyses of samples of water from municipal or private sources;

32. To distribute, in its discretion, to the various educational institutions of the state, specimens, samples, and materials collected by it after the same have served the purposes of the department.

SEC. 59. The Normal School Board, of which the Director of Registration and Education shall be chairman and *ex officio* member, and of which the Superintendent of Public Instruction shall *ex officio* be a member and shall be secretary, shall have power and it shall be its duty, independently of the supervision, direction or control of the director or any other officer of the Department of Registration and Education;

1. To make rules, regulations and by-laws, not inconsistent with law, for the good government and management of the state normal schools and the various interests therein;

2. To visit each state normal school at least once during each scholastic year for the purpose of making an inspection of its condition and work and gathering such information as will enable them to perform their duties intelligently and effectively;

3. To employ, and, for good cause, remove a president of each state normal school and all necessary professors, teachers, instructors, and other educational assistants, and all other necessary employees, and fix their respective salaries;

4. To prescribe the course of study to be followed, and textbooks and apparatus to be used in each state normal school;

5. To issue, upon the recommendation of the faculties of the respective normal schools, diplomas to such persons as shall have satisfactorily completed the required studies of the respective state normal schools, and confer such professional degrees

as are usually conferred by other institutions of like character for similar or equivalent courses of study;

6. To examine into the conditions, management, and administration of the state normal schools;

7. To succeed to and to administer all trusts and trust property now or hereafter belonging or pertaining to any of the state normal universities or schools.

SEC. 60. The Department of Registration and Education shall, wherever the several laws regulating professions, trades, and occupations which are devolved upon the department for administration so require, exercise, in its name, but subject to the provisions of this Act, the following powers:

1. Conduct examinations to ascertain the qualifications and fitness of applicants to exercise the profession, trade, or occupation for which an examination is held; and pass upon the qualifications of applicants for reciprocal licenses, certificates, and authorities;

2. Prescribe rules and regulations for a fair and wholly impartial method of examination of candidates to exercise the respective professions, trades or occupations;

3. Prescribe rules and regulations defining, for the respective professions, trades, and occupations, what shall constitute a school, college, or university, or department of a university, or other institutions, reputable and in good standing and to determine the reputability and good standing of a school, college or university, or department of a university, or other institution, reputable and in good standing, by a reference to a compliance with such rules and regulations;

4. Adopt rules providing for and establishing a uniform and reasonable standard of maintenance, instruction, and training to be observed by all schools for nurses which are to be deemed reputable and in good standing and to determine the reputability and good standing of such schools for nurses by reference to compliance with such rules and regulations;

5. Establish a standard of preliminary education deemed requisite to admission to a school, college, or university, and to require satisfactory proof of the enforcement of such standard by schools, colleges, and universities;

6. Conduct hearings on proceedings to revoke or refuse renewal of licenses, certificates or authorities of persons exer-



cising the respective professions, trades or occupations, and to revoke or refuse to renew such licenses, certificates or authorities;

7. Formulate rules and regulations when required in any act to be administered.

None of the above enumerated functions and duties shall be exercised by the Department of Registration and Education, except upon the action and report in writing of persons designated from time to time by the Director of Registration and Education to take such action and to make such report, for the respective professions, trades, and occupations, as follows:

For the veterinary practitioners, three competent veterinary surgeons, not more than two of whom shall be graduates of the same veterinary college, and neither of whom shall be connected with any veterinary college in any capacity;

For the horseshoers, five persons, consisting of three practical master horseshoers, who have been for at least three years prior to their designation engaged in the occupation of horseshoeing in this state, and two journeymen horseshoers, who have been for at least three years prior to their designation engaged in the occupation of horseshoeing as journeyman horseshoers in this state;

For the architects, five persons, one of whom shall be a member of the faculty of the University of Illinois, and the other four of whom shall be architects residing in this state, who have been engaged in the practice of architecture at least ten years;

For the structural engineers, five persons, one of whom shall be a professor in the civil engineering department of the University of Illinois, and the others of whom shall be structural engineers of recognized standing, who have had not less than ten years' practical experience, then practicing as structural engineers in this state;

For the medical practitioners, embalmers, and midwives, five persons, all of whom shall be reputable physicians licensed to practice medicine and surgery in this state, no one of whom shall be an officer, trustee, instructor or stockholder or otherwise interested directly or indirectly in any medical college or medical institution. For the purpose of preparing questions and rating papers on practice peculiar to any school, graduates of which may be candidates for registration or license, one director may

designate additional examiners whenever occasion may require;

For the pharmacists, five persons, each of whom shall be a competent registered pharmacist, in the state, and shall have had ten years' practical experience in the dispensing of physicians' prescriptions since such registration;

For the dentists, five persons, each of whom has been a licensed practitioner of dentistry or dental surgery in this state for a period of five years or more, and no one of whom is in any way connected with or interested in any dental college or dental department of any institution of learning;

For the registered nurses, five persons, each of whom is a registered nurse in this state and has been graduated for at least a period of five years from a school for nurses in good standing, and, during the course of training, has served for two years in a general hospital, and three of whom shall have had at least two years' experience in education work among nurses;

For the optometrists, five persons from among such practicing optometrists of the state as have had not less than five years' practical experience in optometry, no one of whom is a member of any optical school or college or instructor in optometry or person connected in any way therewith, or is a manufacturer, jobber or jobbing representative;

For the barbers, three practical barbers, each of whom has been for at least five years preceding his designation engaged in the occupation of barbering in this state.

The action or report in writing of a majority of the persons designated for any given trade, occupation or profession, shall be sufficient authority upon which the director of registration and education may act.

In making the designation of persons to act for the several professions, trades, and occupations, the director shall give due consideration to recommendations by members of the respective professions, trades, and occupations and by organizations therein.

Whenever the director is satisfied that substantial justice has not been done either in an examination or in the revocation of or refusal to renew a license, certificate or authority, he may order reexaminations or rehearings by the same or other examiners.

SEC. 61. All certificates, licenses, and authorities shall be issued by the Department of Registration and Education, in the name of such department, with the seal thereof attached.

SEC. 62. Unless otherwise provided by law, the functions and duties formerly exercised by the State Entomologist, the State Laboratory of Natural History, the State Water Survey, and the State Geological Survey and vested by this Act in the Department of Registration and Education, shall continue to be exercised at the University of Illinois in buildings and places provided by the trustees thereof.

SEC. 63. The Board of Natural Resources and Conservation, acting through five or more subcommittees, each of which shall be composed of the Director of Registration and Education, the President of the University of Illinois, or his representative, and the expert advisor specially qualified in each of the fields of investigation, shall:

1. Consider and decide all matters pertaining to natural history, geology, water and water resources, forestry, and allied research, investigational and scientific work;

2. Select and appoint, without reference to the State Civil Service Law, members of the scientific staff, prosecuting such research, investigational and scientific work;

3. Coöperate with the University of Illinois in the use of scientific staff and equipment;

4. Coöperate with the various departments in research, investigational and scientific work useful in the prosecution of the work in any department.

The Board of State Museum Advisors shall advise the Director of Education and Registration in all matters pertaining to maintenance, extension, and usefulness of the State Museum.

#### REPEAL

SEC. 64. The following Acts and parts of Acts are hereby repealed;

“An Act to secure the enforcement of the law for the prevention of cruelty to animals,” approved May 25, 1877, in force July 1, 1877;

<sup>1</sup>“An act to create the court of Claims and to prescribe its powers and duties,” approved May 16, 1903, in force July 1, 1903;

“An Act to secure the collection and publication of agricultural and other statistics,” approved and in force May 25, 1877;

---

<sup>1</sup>The law providing for the Court of Claims was reenacted June 25, 1917.

"An Act to establish and maintain a laboratory for the production of hog cholera serum and other biological products, for free distribution to the live stock producers of the State of Illinois, and making an appropriation therefor," approved June 10, 1909, in force July 1, 1909;

"An Act to create a bureau of labor statistics and statistical details of manufacturing industries and commerce of the state, and to provide for a board of commissioners and secretary, and repealing certain Acts therein named," approved June 10, 1909, in force July 1, 1909;

"An Act to prevent accidents in mines and other industrial plants, and to conserve the resources of the state by the establishment of Illinois miners' and mechanics' institutes, and for the administration and support of the same," approved May 25, 1911, in force July 1, 1911;

"An Act creating the office of Supervising Architect of the State of Illinois and defining his powers and duties," approved April 24, 1899, in force July 1, 1899;

"An Act creating the office of Supervising Engineer for the General Assembly, its members and committees, and the Board of Administration of the State of Illinois, and fixing his compensation," approved June 10, 1911, in force July 1, 1911;

"An Act conferring upon the Board of Administration of the State of Illinois the power to condemn and take real estate as therein named," approved May 27, 1911, in force July 1, 1911;

Sections 5 and 7 of an Act entitled, "An Act to revise the laws relating to charities, approved June 11, 1912, in force July 1, 1912;

"An Act conferring upon the State Board of Agriculture the power to condemn and take real estate through the exercise of the right of eminent domain," approved June 26, 1913, in force July 1, 1913;

"An Act to create a State Art Commission, and to define its powers and duties," approved June 4, 1909, in force July 1, 1909;

"An Act creating the office of State Inspector of Masonry, Public Buildings and Works, and prescribing qualifications, duties, and compensation," approved June 28, 1915, in force July 1, 1915;

Sections 5 and 7 of an Act entitled, "An Act to revise the laws relating to charities," approved June 11, 1912, in force July 1, 1912;

Section 9 of an Act entitled, "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899;

"An Act for the appointment of a State Entomologist," approved and in force March 9, 1867;

"An Act to provide for the office of the State Entomologist, to define its duties, and to extend its equipment," approved May 25, 1907, in force July 1, 1907;

"An Act to establish a State Historical Library and Natural History Museum, to provide for its care and maintenance, and to appropriate money therefor," approved May 25, 1877, in force July 1, 1877;

"An Act respecting the State Laboratory of Natural History and the State Entomologist's office," approved June 27, 1885, in force July 1, 1885;

"An Act to establish a chemical survey of the waters of the State of Illinois," approved June 7, 1897, in force July 1, 1897;

"An Act to establish and create at the University of Illinois the bureau to be known as the State Geological Survey, defining its duties and providing for the preparation and publication of its reports and maps to illustrate the natural resources of the state, and making appropriations therefor," approved May 12, 1905, in force July 1, 1905;

Section 6 of the Act entitled, "An Act to prevent the introduction and spread in Illinois of the San Jose scale and other dangerous insects and contagious diseases of fruits, and repealing a certain Act therein named," filed June 4, 1907, in force July 1, 1907;

"An Act imposing new and additional duties upon the State Water Survey, and making appropriations therefor," approved May 25, 1911, in force July 1, 1911.

SEC. 65. The following Act is also hereby repealed: "An Act to revise the law in relation to the Department of Agriculture, agricultural societies and agricultural fairs, and to provide for reports of the same," approved June 23, 1883, in force July 1, 1883, but the repeal of said Act shall not take effect or be in force until the first day of January, A. D. 1919.

## AMENDMENT OF CIVIL CODE

When the law was amended in 1921, the salaries of nineteen officials under the code were increased. The increases are tabulated as follows:

<i>Official</i>	<i>Original Salary</i>	<i>New Salary</i>
Assistant director of finance.....	\$4,200	\$4,800
Director of agriculture.....	6,000	7,000
Director of labor.....	5,000	7,000
Assistant director of labor.....	3,000	4,000
Chief factory inspector.....	3,000	4,000
Chief inspector of private employment agencies.....	3,000	4,000
Director of mines and minerals.....	5,000	7,000
Assistant director of public works and buildings.....	4,000	5,000
Superintendent of highways.....	5,000	6,000
Supervising architect .....	4,000	5,000
Supervising engineer .....	4,000	5,000
Superintendent of prisons.....	5,000	6,000
Superintendent of pardons and paroles.....	5,000	6,000
Director of public health.....	6,000	7,000
Assistant director of public health.....	3,600	4,200
Superintendent of lodging house inspection.....	3,000	4,000
Assistant director of trade and commerce.....	4,000	5,000
Fire marshal .....	3,000	4,000
Director of registration and education.....	5,000	7,000

By a ruling of the Illinois Supreme Court, these increased salaries could not be drawn by those in office at the time the increase was made, because the state constitution does not permit any official to profit by an increase in salary voted during his incumbency.

The amended code also made the tax commission a part of the department of finance, and its five commissioners and statistician were added to the officials of the department.

In the department of public works and buildings, the office of chief highway engineer was eliminated. In the department of trade and commerce, the secretary of the Illinois Commerce Commission was added to the list of officials, at a salary of \$5,000 a year.

# INDEX

- Accounts, 35  
Adjutant General, 121  
Administrators, Public, 124  
Advisory Boards, 116, 117, 267-270;  
duties of, 270  
Advisory vote on President, 168  
Agricultural Advisors, 116, 267, 268  
Agriculture, Department of, Nation-  
al, 181; Secretary of, 181  
Agriculture, Department of, State,  
109, 116, 122, 264, 265, 267, 271;  
powers and duties, 109, 110, 283;  
Director of, 109, 265, 271  
Aldermen 79, 80  
Alienist, 113, 266, 272  
Alliances of states, 192  
Ambassadors, 177  
Amendments to the Constitution, Na-  
tional, 139, 141, 148, 163, 184,  
194, 213  
Animal Industry, Superintendent of,  
109, 265, 271  
Anti-trust law, 151  
Appellate courts, 43, 44  
Appropriations, 28, 29  
Architect, Supervising, 112, 266, 272  
Army, United States, 156, 157  
Art Advisors, Board of, 113, 117,  
267, 268, 292  
Articles of Confederation, 133  
Assessor, 73  
Attorney General, State, 19, 33-35, 41  
Attorney General of United States,  
180  
Auditor, Administrative, 108, 265,  
270  
Auditor, State, 19, 29, 33-35, 39  
Auditor's Warrant, 29, 40  
Australian System, 67  
Bail, 77  
Ballot Box, 66, 67  
Bankruptcy, 153  
Budget, Superintendent of, 108, 265,  
270  
Buildings, State, 122  
Cabinet, President's 182  
Canvassing Board, 123  
Charitable Institutions, State, 114,  
119, 120  
Charities, Superintendent of, 113,  
266, 272  
Charters, 39; cities under special,  
79; special prohibited, 27  
Circuit Courts, state, 44-47  
Circuit Courts of Appeal, 188  
Circuits, Judicial, 126-132, 189  
Cities, 53  
Citizenship, 105-107, 190  
City and Village Government, 53,  
79-89; aldermen, 79; assessor, 81;  
attorney, 82; board of health, 76;  
cities under general law, 79; cities  
under special charters, 79; clerk,  
81; collector, 81; comptroller, 82;  
corporation counsel, 82; council,  
79; courts, 82; elections, 83; mar-  
shal, 83; mayor, 80; policeman,  
83; salary of aldermen, 80; super-  
intendent of streets, 82; taxes, 80;  
treasurer, 81; wards, 79.  
Civil Administrative Code, 108-118;  
complete, 264-305  
Civil rights, 162, 193  
Civil Service, National, 173  
Civil Service, State, 123, 275  
Coasting trade, 162  
Coining money, 153  
Collector, 74  
Commerce, 150; Department of, 181  
Commission Form of Municipal  
Government, 84-89; abandonment  
of commission form, 89; council,  
85; election, 84; executive depart-  
ment, 86; initiative, 87; nomina-  
tion, 84; officers, 84; organization,

- 84; recall, 88; referendum, 87;  
salaries, 86
- Commissioner of Deeds, 124**
- Commissioners of State Library, 123**
- Community, the, 7-11**
- Commutation, 37**
- Comptroller of Currency, 179**
- Congress, 136; adjournments, 145; apportionments, 138; bills for revenue, 140; borrowing money, 149; commerce, 150; disabilities, 146; duties, 147, 161, 193; eligibility, 137, 142; impeachment, 140, 143; journals, 145; meetings, 144; membership, 144; oath, 146; officers, 140, 142; powers, 146-159, 186, execution of, 159; limitation of, 160-163; privileges, 145; quorum, 144; rules, 145; salaries, 145; taxes, 147, 161; vacancies, 139; yeas and nays, 145**
- Congressional Apportionment, 138**
- Congressional districts, 126, map, 130**
- Congressional ratio, 138**
- Congressional township, 49**
- Congressmen at large, 138**
- Constables, 78**
- Constitution of Illinois, 219**
- Constitution of United States, 135, 200**
- Constitutional Convention, National, 139, 142**
- Constitutional Convention, State, 125**
- Consuls, 172, 177**
- Conventions, National, 167**
- Cook County Commissioners, 57**
- Cook County Courts, 46**
- Copyrights, 155**
- Coroner, 64**
- Corporation Counsel, 82**
- Council of Defense, National, 196**
- Counterfeiting, 154**
- Counties, 49, 126-128; map, 129**
- Counties, population of, 129**
- County boundaries, 129**
- County Commissioners, Board of, 57**
- County Court, 61**
- County Government, 54-65; clerk, 58; commissioners, 57; coroner, 64; court, 61; executive department, 57; judicial department, 61; legislative department, 54; recorder, 59; seat, 54; superintendent of highways, 60; superintendent of schools, 94; supervisors, board of, 54, 55; surveyor, 60; tax, 55; treasurer, 59**
- County Organization, 52**
- Court of Claims, State, 44**
- Court of Claims, United States, 190**
- Courts of Cook County, 46**  
See also names of courts
- Credentials, 19**
- Criminologist, 113, 266, 272**
- Customs, Commissioner of, 179**
- Declaration of Independence, 133**
- Deeds, Commissioner of, 124**
- Department Reports, Superintendent of, 108, 265, 270**
- Departments, see name of department**
- Deposition, 125**
- Diplomatic Bureau, 176**
- District Courts, 189**
- District of Columbia, 157**
- Domestic Bureau, 178**
- Drainage Districts, 33**
- Duties, 147, 161, 193**
- Education, 90-107; Board of, 105; Department of Registration and, 115, 117, 122, 264, 267, 273, 296**
- Education, Vocational, 97**
- Educational Institutions, 119, 120**
- Election, Certificates of, 19**
- Electoral College, 168**
- Electoral count bill, 165, 166**
- Electoral Districts, 126-128, 130, 131**
- Electoral System, 164, 167, 168**
- Electors, 158**
- Emergency clause, 25**
- Employment Agencies, Private, Chief Inspector of, 110, 266, 271**
- Employment Offices, Free, Advisors, 267, 268**
- Employment Offices, Free, Superintendent of, 110, 265, 271**
- Engineer, Supervising, 112, 266, 272**
- Envoys, 177**
- Execution, 63**
- Executive Department, National, 163, 176**
- Executive Department, State, 33-35**
- Exemption laws, 33**
- Expenditures, 162**



- Exports, Duty on, 161
- Ex post facto laws, 161, 193
- Extradition, 191
- Factory Inspector, Chief, 110, 265, 271
- Family, the, 10
- Farmer's Institutes, 119
- Fees of Officers, 28
- Felony, 17, 77
- Finance, Department of, 108, 109, 122, 264, 265, 270; powers, 281; Director of, 108, 265, 270
- Fire Marshal, 115, 266, 273
- Fiscal Supervisor, 113; 266, 272
- Fish and Game Warden, Chief, 109, 265, 271
- Foods and Dairies, Superintendent of, 109, 265, 271
- Food Standard Commission, 265
- Food Standard Officers, 109, 268, 271
- Fort Massac, 112
- Franchise, 44
- Freedom of Speech, 17
- Freehold, 44
- Game and Fish Warden, Chief, 109, 265, 271
- General Assembly, 13-33; adjournment, 23; bills, 24, 25; committees, 19, 23; contempt, 22; disabilities of members, 17; election of members, 14; eligibility of members, 16; employees, 21; expulsion of members, 22; extra pay, 30; extra session, 36; impeachment, 30; journals, 23, 38; membership, 18; oath of members, 16; officers, 19-21; open doors, 23; organization, 22; president of senate, 20; president pro tempore, 20; privileges of members, 17; protest of members, 24; quorum, 18; rules, 18; salary of members, 17; speaker, 19; term, 16; time and place of meeting, 14; vacancies, 15; yeas and nays, 23
- Government, in the community and in the nation, 7-11; necessity for, 8
- Governor, 33-37; appointment of officers, 17, 36, 108; calls extra session, 36; command of militia, 37; election, 34; eligibility, 35; executive power, 36; impeachment, 30, 31; message, 36; oath, 35; pardons, 37; removal of officers, 37; reprieves, 37; residence, 34; salary, 37; signature, 26; vacancy, 35; veto, 13, 26
- Grain Inspector, Chief, 115, 266, 269, 273
- Grand Jury, 46, 56; indictment by, 186
- Greenbacks, 150
- Habeas Corpus, 42, 160
- Health, Public, see Public Health
- Highway Commissioner, 74
- Highway Engineer, Chief, 112, 266, 272
- Highways, Superintendent of, 112, 266, 272
- Homestead laws, 33
- House of Representatives, National, 136; adjournments, 145; bills for revenue, 140; congressional apportionments, 138; congressmen at large, 138; disabilities, 146; duties, 147, 161; eligibility of members, 137; impeachment, 140, 143; journals, 145; meetings, 144; membership, 144; oath, 146; officers, 140; powers, 146, 158; privileges, 145; quorum, 144; rules, 145; salaries, 145; taxes, 147, 161; vacancies, 139; yeas and nays, 145
- House of Representatives, State, 13-33
- Illinois, University of, 119
- Immunities, 28
- Impeachment, 13, 30, 140, 143
- Indian Affairs, Commissioner of, 181
- Indictment, 46, 186
- Industrial Commission, 110, 266, 287
- Industrial Officers, 110, 268, 271
- Initiative, 87
- Inquest, 64
- Institutions, State, 122
- Insurance, Superintendent of, 115, 266, 272
- Interest, Rate of, 28
- Interior, Department of, 181
- Internal Revenue, Commissioner of, 179
- Interstate Commerce Commission, 151, 182
- Judges, Federal, 187
- Judicial circuits, 126-128, 132, 189
- Judicial Departments, National, 183
- Judicial Departments, State, 13, 42-47
- Judicial Districts, 126-128, 189

- Judicial Powers**, 183  
**Jurors**, 47, 56  
**Jury Trial**, 185  
**Justice, Department of**, 180  
**Justices of the Peace**, 47, 77
- Labor, Department of**, 110, 117, 122, 182, 264, 265, 267, 271; powers and duties, 110, 285; **Director of**, 110, 265, 271  
**Laws, revived or amended**, 25; special, prohibited, 27; take effect, 25  
**Legislative Department, National**, 136; state, 13  
**Legislative Reference Bureau**, 122  
**Lieutenant-Governor**, 37  
**Lincoln Homestead**, 112, 290  
**Lincoln Monument and Grounds**, 112, 290  
**Lodging House Inspection, Superintendent of**, 114, 266, 272  
**Lotteries, prohibited**, 32
- Mandamus**, 42  
**Marque and Reprisal, Letters of**, 156  
**Master in Chancery**, 45  
**Mayor**, 80  
**Militia**, 121, 157  
**Miners, Protection of**, 32  
**Miners' Examining Board**, 111, 266  
**Miners' Examining Officers**, 111, 266, 268, 271  
**Mines and Minerals, Department of**, 111, 122, 264, 266, 271; duties and powers, 111, 287; **Director of**, 111, 265, 268, 271
- Mining Board**, 111, 266, 273; duties and powers, 288  
**Ministers**, 172, 177  
**Minority Representation**, 15  
**Misdemeanors**, 77
- National Conventions**, 167  
**National Government**, 7-11, 133-197; Army, 156; Congress, 136; Executive Department, 163; Historical Sketch, 133; House of Representatives, 136; Judicial Department, 183; Legislative Department, 136; Navy, 156; President, 163; Senate, 141; Supreme Court, 187  
**Natural Resources and Conservation Advisors**, 267, 269, 303  
**Naturalization**, 152
- Navel Cadets**, 181  
**Navy, United States**, 156, 157; Department of, 180; **Secretary of**, 181  
**Normal School Board**, 115, 119, 267, 269, 273; powers and duties, 116, 299  
**Normal Schools**, 116, 119  
**Notaries Public**, 124
- Pardons**, 37, 170  
**Pardons and Paroles, Superintendent of**, 113, 266, 272  
**Parks, Superintendent of**, 112, 266, 272  
**Parks and Buildings Advisors, Board of**, 267, 292  
**Patents**, 155  
**Paupers**, 72  
**Penal and Reformatory Institutions**, 113, 120  
**Pensions, Commissioner of**, 181  
**Petit Jury**, 46, 56  
**Piracy**, 155  
**"Plank,"** 168  
**Plant Industry, Superintendent of**, 109, 265, 271  
**Platform, Political**, 168  
**Police Magistrate**, 82  
**Policemen**, 83
- Postmaster-General**, 180  
**Post Office Department**, 154, 180  
**Post Offices and Post Roads**, 154  
**President, The**, 163-175; advisory vote, 168; appointments, 171, 176; cabinet, 182; commander-in-chief, 170; electoral system, 167; eligibility, 168; how chosen, 164; message, 174; national conventions, 167; oath, 170; pardons, 143, 170; salary, 183; succession, 169; veto, 174
- Primary Elections**, 69  
**Printing, Superintendent of**, 112, 266, 272  
**Prisons, Superintendent of**, 113, 266, 272  
**Probate Court**, 62  
**Prohibition Amendment**, 218  
**Public Debt**, 195  
**Public Health, Department of**, 114, 122, 266, 267, 272; duties and powers, 114, 294; **Director of**, 114, 265, 268, 272.

- Public Instruction, Superintendent of**, 92-94, 115, 116, 119, 299
- Public School System**, 90-107; act of congress, 1818, 90; boards of education, 105; branches of study, 104; citizenship, 105; compulsory attendance, 104; county superintendent of public schools, 94; examining board, 97; high school privileges, 104; origin, 90; relation to state government, 91; Schedules, 104; school directors, 101; school districts, 52; school funds, 91; school township, 50; state certificates, 92; state superintendent of public instruction, 92-94, 115, 116, 119, 299; teacher's certificates, 95, 96, 98; teachers' institutes, 95; township high schools, 100; township treasurer, 99, 100; trustees of schools, 98.
- Public Utilities Commission**, 115, 266, 269, 273, 295, 296
- Public Welfare, Department of**, 113, 117, 122, 266, 267, 272; duties and powers, 113, 292; **Director of**, 113, 265, 272
- Public Welfare Commissioners, Board of**, 117, 267, 293
- Public Works and Buildings, Department of**, 112, 117, 122, 264, 266, 267, 271; duties and powers, 112, 290; **Director of**, 112, 265, 271
- Purchases and Supplies, Superintendent of**, 112, 266, 272
- Recall**, 88
- Referendum**, 87
- Registration and Education, Department of**, 115, 117, 122, 264, 267, 273; duties and powers, 116, 296; **Director of**, 115, 116, 119, 265, 269, 273
- Registration, Superintendent of**, 115, 267, 273
- Registry Blanks**, 39
- Religious Freedom**, 163
- Reports, state**, 35
- Representatives, National**, 136
- Representatives, State**, 13
- Reprieves**, 37, 170
- Requisitions**, 191
- Returns of Election**, 19, 34
- Review, Board of**, 74
- "Rider,"** 29
- Rights, Civil**, 162, 193; of citizens, 107; of states, 190; personal, 184, 193, 195
- Road Tax**, 75
- Schools, boards of education**, 105; branches of study, 104; citizenship, 105; compulsory attendance, 104; county superintendent of public schools, 94; districts, 52; examining board, 97; high school privileges, 104; origin, 90; relation to state government, 91; schedules, 104; school directors, 101; school districts, 52; school funds, 91; school township, 50; state certificates, 92; state, 119; state superintendent of public instruction, 33-35, 92-94, 115, 116, 299; teachers' institutes, 95; township, 50; township high schools, 100; township treasurer, 100; trustees of schools, 98.
- Seal, State**, 38; **United States**, 176
- Search and Seizure Act**, 125
- Secretary of State, Illinois**, 38; **National**, 171, 176
- Senate, State**, 13-33
- Senate, United States**, 141; adjournment, 145; disabilities, 146; duties, 147, 161; eligibility, 142; impeachment trials, 143; journal, 145; meetings, 144; membership, 144; oath, 146; officers, 142; powers, 143, 146-159, 171; privileges, 145; quorum, 144; rules, 145; salaries, 145; taxes, 147, 161; trial of impeachment, 143; yeas and nays, 145
- Senatorial Districts**, 14, 126-128; map, 131
- Sheriff**, 44, 62-64
- Slavery**, 139, 160, 195
- Spoils System**, 174
- Standards, Superintendent of**, 115, 266, 273
- State Boards and Commissions**, 122
- State cannot be sued**, 31
- State Contracts**, 31, 276, 277
- State, Department of, National**, 176
- State, Division of the**, 49-53
- State Government**, 7-11; 13-48; attorney-general, 41; auditor, 39; executive department, 33; general assembly, 13; governor, 33; house of representatives, 13; impeachment, 30; judicial department, 42; legislative department, 13; lieutenant-governor, 37; secretary of state, 38; senate, 13; state house, 33; supreme court, 42; treasurer, 40
- State Fair, General Manager of**, 109, 265, 271

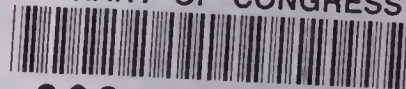
- State Fair Advisors, Board of, 267  
 State House, new, 33  
 State indebtedness limited, 29  
 State Library, Commissioners of, 123  
 State Museum Advisors, Board of, 267, 269  
 State Penal and Reformatory Institutions, 120  
 State's Attorney, 64  
 States, Admission of, 193; limitations on, 192; protection guaranteed to, 191; rights of, 190  
 Subpoena, 63  
 Succession, presidential, 169  
 Suffrage, woman, 69, 218  
 Summons, 63  
 Superintendent of Public Instruction, county, 94; state, 33-35, 92-94, 115, 116, 299  
 Supervisor of Assessment, 74  
 Supervisors, Board of, county, 54, 55; town, 71, 72  
 Supreme Court of Illinois, 42, 43  
 Supreme Court of United States, 183, 187  
 Supreme law, 195  
  
 Tax Commission, 118  
 Taxes, 68, 147, 161, 179  
 Teachers' Associations, 95  
 Teachers' Institutes, 95  
 Titles of Nobility, 162, 193  
 Town Government, 66-78; assessor, 73; board of appointments, 75; board of health, 76; board of review, 74; board of town auditors, 76; clerk, 66, 72; collector, 74; constables, 78; executive department, 71; funds, 71; highway commissioners, 74; judicial department, 76; justices of peace, 77; legislative department, 66; meeting, annual, 66, special, 71; primary elections, 69; supervisors, 71; taxes, 68, 75; votes, 69, 70; woman suffrage, 69.  
 Towns, 50; incorporated, 50, 52; new, 55; organized, 50  
 Township, 49; congressional, 49; school, 50  
 Township High Schools, 100  
 Township Organization, 51  
 Township Treasurer, 100  
 Trade and Commerce, Department of 115, 264, 266, 272; duties and powers, 115, 295; Director of, 115, 265, 272  
 Treason, 186  
 Treasurer, State, 40  
 Treasury Department, National, 178; Secretary of, 178  
 Treaties, 171  
 True bill, 46  
  
 University of Illinois, 119  
  
 Veterinarian, Chief, 109, 265, 271  
 Veto, Governor's, 13, 26, 175; President's, 174  
 Vice-President, 142, 143  
 Village and City Government, 53, 79  
 Vocational Education, 97  
 Voters, 69, 70; duties of, 106  
  
 War, Department of, 179; power to declare, 155; Secretary of, 179  
 Warrant, 63; Auditor's, 29, 40  
 Waterways, Superintendent of, 112, 266, 272  
 Weights and Measures, 39, 154  
 West Point Cadets, 179  
 Woman Suffrage, 69  
 Woman Suffrage Amendment, 218







LIBRARY OF CONGRESS



0 033 261 145 8